

**COLLIER COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
and  
**COMMUNITY REDEVELOPMENT AGENCY BOARD (CRAB)**



**AGENDA**

April 13, 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. Reverend Bruce Frogge - First 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. March 9, 2010 - BCC/Regular Meeting Minutes**
- C. March 11, 2010 - BCC/Strategic Planning Workshop**
- D. March 15, 2010 - BCC/Tourist Development Council Workshop**

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

## **4. PROCLAMATIONS**

- A. Proclamation celebrating the lives of those who have battled cancer, those fighting back against the disease and remembering loved ones who ultimately lost the battle. To be accepted by Anne Gardner, Naples American Cancer Society Customer Representative, Mary Jo Thurston, Committee Member of the Survivorship Committee, and Kathleen Coppola, Naples Relay for Life Committee Chairman. Sponsored by Commissioner Fiala.**
- B. Proclamation to honor in memoriam Tor Kolflat for his dedication and faithful service to Collier County. To be accepted by Carole Ann Kolflat and Melissa Showalter. Sponsored by Commissioner Coyle.**
- C. Proclamation designating April 18 - 24, 2010 as Crime Victims Rights Week. To be accepted by Angela Larson, Collier County Sheriff's Office, Shaina Hicks, Project Help, and Lisa Roderick, Shelter for Abused Women and Children. Sponsored by Commissioner Henning.**
- D. Proclamation designating April 11 to April 17, 2010 as National Telecommunications Week in Collier County. To be accepted by Chief Greg Smith, Capt. Roy Arigo, Manager Sandra Betts, and Cmdr. Bill Rule from the Collier County Sheriff's Office. Sponsored by Commissioner Henning.**
- E. Proclamation designating April 13, 2010 as Golden Gate Task Force Day. To be accepted by Jeff Letourneau, Cpl. Robert Capizzi and Kaydee Tuff. Sponsored by Commissioner Henning.**
- F. Proclamation designating April 18 to April 24, 2010 as National Volunteer Week in Collier County. To be accepted by staff from the Public Services Division and members of their volunteer corps. Sponsored by Commissioner Fiala.**
- G. Proclamation designating April, 2010 as Parkinson's Disease Awareness Month. To be accepted by Michael and Gretchen Church. Sponsored by Commissioner Henning.**
- H. Proclamation designating April, 2010 as Sexual Assault Awareness Month. To be accepted by Eileen Wesley, Project Help. Sponsored by Commissioner Coyle.**
- I. Proclamation designating April 20, 2010 as Rotary Group Exchange Team Day. To be accepted by Ruth Ruskin, President, Rotary Club of Naples Bay. Sponsored by Commissioner Coletta.**
- J. Proclamation designating April 24, 2010 as A Day of Service In Immokalee. To be accepted by Jenifer Brooks. Sponsored by Commissioner Coletta.**

## 5. PRESENTATIONS

- A. Presentation of a plaque from the South Florida National Parks Trust showing appreciation to the Board of County Commissioners and the Tourist Development Council for their support of the new Big Cypress Swamp Welcome Center. To be presented by Patrick White, Trustee and Don Finefrock, Executive Director.

## 6. PUBLIC PETITIONS

- A. Public Petition request by Mr. Mike Motwani regarding Port of the Islands Community Improvement District.
- B. Public Petition request by Mr. Michael K. Corradi regarding zoning at Airport Road/Orange Blossom Intersection.
- C. Public Petition request by Ms. Keri Menard regarding facilities at Max Hasse Community Park.

**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-14085 Renda Broadcasting Corporation, represented by Richard D. Yovanovich, Esquire of Coleman, Yovanovich and Koester, P.A., is requesting a Conditional Use for a communications tower and the installation of related shelter and equipment in the Estates (E) Zoning District, as specified in Section 5.05.09 of the Collier County Land Development Code (LDC). The approximately 4.77-acre subject property is located at 5860 Crews Road, in Section 8, Township 50 South, Range 26 East, in Collier County, Florida. (CTS)

## 8. ADVERTISED PUBLIC HEARINGS

## 9. BOARD OF COUNTY COMMISSIONERS

- A. Appointment of members to the Animal Services Advisory Board.
- B. Appointment of members to the Tourist Development Council.
- C. Appointment of member to the Collier County Coastal Advisory Committee.

## 10. COUNTY MANAGER'S REPORT

- A. Recommendation to reject an offer to settle (and release) a \$131,000 code enforcement lien for payment of \$15,000 in the Code Enforcement Action entitled Board of County Commissioners vs. Richard Carter, Case No. 2007-060653, relating to property known as 196 Briarcliff Lane, Naples, Florida. (Diane B. Flagg, Director, Code Enforcement, CDES)

- B. Recommendation to accept the status report regarding the procurement of Consultants' Competitive Negotiation Act (CCNA) professional services under the County's fixed term contracts. (Len Price, Administrative Services Administrator)

**11. PUBLIC COMMENTS ON GENERAL TOPICS**

**12. COUNTY ATTORNEY'S REPORT**

- A. *This item to be heard at 10:30 a.m.* The County Attorney is presenting to the Board a request by the Collier Childrens Trust Proponents Political Committee to adopt a statement or resolution in furtherance of House Bill 511 and Senate Bill 1162 which, if enacted, would create a mechanism whereby Collier County citizens could establish a Childrens Trust as an independent special district. A statement or resolution is required by Section 189.404(2)(e)(4), Florida Statutes, and is intended to certify that the proposed district is consistent with approved local government plans and confirm that the local government has no objection to the creation of the district.

**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 Creekside Flex Space.
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 Ave Maria Phase Three Replat.
3. Recommendation to grant final approval of the roadway (public) and drainage improvements for the final plat of Independence Phase Two. The roadway improvements will be maintained by Collier County and the drainage improvements will be privately maintained.
4. Recommendation to grant final approval of the roadway (public) and drainage improvements for the final plat of Independence Phase Two-A. The roadway improvements will be maintained by Collier County and the drainage improvements will be privately maintained.
5. Recommendation to grant final approval of the roadway (private) and drainage improvements for the final plat of Ave Maria Unit 3, Del Webb Phase One with the roadway and drainage improvements being privately maintained.

6. Recommendation to approve the application by Florida Specialties, LLC for the Job Creation Investment Program and the Broadband Infrastructure Investment Program.
7. Recommendation to approve the Release and Satisfaction of Lien in the Code Enforcement Action entitled Board of County Commissioners vs. Janet Peralta, Special Magistrate Case No. 2007-050023, relating to property located at 2365 55th Terrace SW, Collier County, Florida.
8. Recommendation to accept an offer to settle and release two code enforcement liens, with a combined accrued value of \$231,528 for payment of \$65,000 in the Code Enforcement Actions entitled Board of County Commissioners vs. 6240 Collier Group, Inc., Case Nos. CEB 2007-080153 and OSM 2007-080327, relating to property known as 6220 and 6240 Collier Boulevard, Collier County, Florida.
9. Recommendation to grant final approval of the roadway (public) and drainage improvements for the final plat of Market Center with the roadway improvements being maintained by Collier County and the drainage improvements being privately maintained.
10. Recommendation to adopt an amending and superseding resolution to Resolution 2001-316, in order to update and clarify the Code Enforcement Directors authority to recommend settlement of code enforcement liens.

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

1. Recommendation to approve an Amendment to Agreement authorizing a rate increase to \$80 per boarding for Stretcher Medicaid trips for the paratransit services provided under Collier Countys Agreement with McDonald Transit Associates, Inc. d/b/a Collier Area Transit (McDonald Transit).
2. Request for authorization to advertise a proposed amendment to Ordinance No. 98-1, an ordinance prohibiting the conversion of swales to culverts in the public rights-of-way within an area of Naples Park, to allow for the installation of swale enclosures on 111th Avenue North and along 8th Street North in Naples Park.
3. Recommendation to approve the purchase of a Perpetual, Non-exclusive, Road Right-of-Way, Drainage and Utility Easement (Parcel 445RDUE) containing 6,950 square feet, which is required for the four-laning of Golden Gate Boulevard between Wilson Boulevard and DeSoto Boulevard. Project No. 60040 (Fiscal Impact: \$5,480).
4. 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.
5. Recommendation to approve Change Order No.2 in the amount of \$10,537 for Contract No. 09-5190 Rattlesnake Hammock Road (Polly Ave to CR - 951) Landscape Improvements Construction with Hannula Landscaping, Inc. (Project No. 65021.1)
6. Recommendation to award RFP #10-5359, Traffic Signal Timing & Coordination to Albeck Gerken, Inc. for traffic engineering consultant services necessary to complete the Arterial Coordination activity under the United States Department of Energys Energy Efficiency Conservation Block Grant (EECBG), in the amount of \$166,966.81.
7. Recommendation to ratify termination of the January 26, 2010 Purchase Agreement (for Stormwater Retention Pond Sites) between Mar Investments LLC and Collier County for the purchase of two parcels containing a total of 1.476 acres of commercially zoned property located on the northwest corner of Tamiami Trail East (US-41) and Collier Boulevard (CR-951) considered for construction of a stormwater detention and treatment pond site in connection with the Collier Boulevard/US-41 Overpass Project No. 60116. (No fiscal impact associated with this item)

8. Recommendation to approve the purchase of two fee simple parcels and accept the donation of a slope easement and a utility easement required for construction of the Northbrooke Drive/Valewood Drive Extension (Phase 1) Project No. 60106. (Fiscal Impact: \$4,600)
9. Recommendation to approve Funding Agreement No. 4600002032 and budget amendment in the amount of \$39,329 necessary to recognize matching funds from South Florida Water Management District, which will provide assistance with the construction of the Gateway Triangle Stormwater Improvement Project (Project #51803).
10. Recommendation to award Bid #10-5445 Forest Lakes MSTU Project F-53 Quail Run Lake Shoreline Restoration & Stabilization to Quality Enterprises USA, Inc., in the amount of \$1,153,254.75.
11. Recommendation to award a contract for ITB 09-5328, Asphalt, Milling & Related Items to Better Roads, Inc. and C.W. Roberts Contracting, Inc. (d/b/a Cougar Contracting) in the estimated annual amount of \$1,500,000.

#### C. PUBLIC UTILITIES

1. Recommendation to award bid number 10-5441, Isles of Capri Water Main Replacement Phase I in the amount of \$1,074,097 to Douglas N. Higgins, Incorporated, to complete the rehabilitation of the potable water distribution system that services the Isles of Capri, Project No 71010.7.
2. Recommendation to approve Purchase Order No. 4500114261 in the amount of \$417,625.90 to D.N. Higgins, Inc. to replace three large deteriorated and leaking influent sewage force mains at the Master Pumping Station 302 site, Project 72549.

#### D. PUBLIC SERVICES

1. Recommendation to approve and appoint the proposed Inlet Management Work Team for Wiggins Pass as recommended by the Coastal Advisory Wiggins Pass Subcommittee.
2. Recommendation to approve a budget amendment in the amount of \$8,500 to recognize revenue and appropriate expenditures for a grant awarded from the Community Foundation of Collier County to serve the needs of seniors in Immokalee.
3. Recommendation to authorize the conveyance of a Revocable Temporary License to the Lee County Electric Cooperative, Inc. for the installation of electric facilities to provide electric service for the Goodland Boat Park located at 750 Palm Point Drive, Goodland Florida, at a cost not to exceed \$60.
4. Recommendation to approve grant related expenditures in excess of \$50,000 for real property acquired under the Neighborhood Stabilization Program to fund rehabilitation activities. Funding will ensure compliance with Collier County building code regulations and further the goals and objectives of the Housing Element of the Growth Management Plan.
5. Recommendation to authorize the Chairman to sign a property owners agreement with the City of Naples Police Department to allow access to three County parks located within the City limits.
6. Recommendation to authorize the County Manager, or his designee, to approve Change Order #4 in the amount of \$36,616.64 to Johnson Engineering design consultant for the Goodland Boat Park Project #80611.1 under Contract #05-3842 to provide additional construction observation services due to unforeseen site conditions.
7. Recommendation to approve and authorize the Chairman to sign two (2) Releases of Lien and two(2) Satisfactions of Mortgage for owner occupied affordable housing dwelling units that have satisfied the terms of assistance provided. Fiscal impact \$29,864.20.

8. Recommendation to award invitation to Bid (ITB)#10-5417 ARRA Green Lighting System Retrofits in the amount of \$485,809 to Electrical Contracting Services, Inc., for the Parks and Recreation projects at Immokalee Community Park and Gulf Coast Community Park.

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

1. Recommendation to award RFP 10-5393 for Exotic Vegetation Removal, with an estimated annual cost of \$350,000, to four firms: EarthBalance, Environmental Restoration Consultants, Aquagenix, and Walker Exotic Tree Eradication in no particular order and authorize the Chairman to execute a standard County contract.
2. Recommendation to authorize payments to Ground Zero Landscaping Services Inc. for services rendered to the Bayshore Gateway MSTU pursuant to Contract 05-3689 in the total amount of \$86,288.65.
3. Recommendation to review and approve proposed language to be added to County Managers Agency Policy (CMA) 5311, Code of Ethics, regarding employees who serve on non-profit boards that receive direct or indirect funding from Collier County.
4. Recommendation that the Board approve, and authorize the Chairman to sign, a Youth Hunt Agreement in order to allow Florida Fish and Wildlife Conservation Commission (FWC) to conduct Youth Hunts for Collier County residents at Caracara Prairie Preserve.
5. Recommendation to approve chiller maintenance services to the respective manufacturers: Trane, McQuay Services, and Carrier Commercial Services, as the sole source providers for the maintenance, repair, and installation of associated parts, proprietary software, and other auxiliary components of County-owned and maintained chillers for an estimated annual amount of \$100,000.
6. Report and Ratify Staff-Approved Change Orders and Changes to Work Orders to Board-Approved Contracts.
7. Recommendation to approve and authorize the Chairman to sign the Assumption Agreement from Vanus Engineering Evolution, Inc., to Gannett Fleming, Inc., for Traffic Engineering Consultant Services, Consultant Services for Collier County Signal Retiming Project, and County Wide Engineering Services.
8. Recommendation to approve and authorize the Chairman to sign the Assumption Agreement from Trutwin Industries, Inc., to RoadSafe Traffic Systems, Inc., for Roadway Paint, Thermoplastic Markings, and Raised Markers.
9. Recommendation to authorize the Chairman to sign the Caracara Prairie Preserve Bank Agreement, Caracara Prairie Preserve Conservation Bank Conservation Easement, Interlocal Agreement with CREW Land and Water Trust, Declaration of Trust for Caracara Prairie Preserve, and Caracara Prairie Preserve Endowment Fund Trust Agreement which are necessary to create the Caracara Prairie Preserve Conservation Bank.

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

1. Recommendation to approve the after the fact submittal of a \$5,000 grant from the 2010 Trailblazer Grant Program sponsored by the National Center for Civic Innovation in order to enhance our efforts in creating citizen centric performance measures as outlined in the County Managers FY 2010 work plan.
2. Recommendation to approve the after-the-fact submittal of an Emergency Medical Services Tracking and Reporting System (EMSTARS) Field Data Collection Grant to the Florida Department of Health, Bureau of Emergency Medical Services in the amount of \$158,500.

3. Recommendation to approve the Collective Bargaining Agreement between Collier County and the Collier EMS/Fire Bargaining Unit, Southwest Florida Professional Firefighters Local 1826, International Association of Firefighters, Incorporated.
4. Recommendation to authorize the chairman to approve a budget amendment and the transfer of funds from the General Fund, upon receipt of the auction proceeds from the sale of the Self Contained Breathing Apparatus and accessories into the Ochopee Fire Control District fund 146.
5. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the Fiscal Year 2009-10 Adopted Budget.
6. Recommendation to approve Change Order #4 on Contract 06-4007 with Paradise Advertising and Marketing, Inc. for up to \$1,875,000 in additional billing at gross in accordance with their agreement with Collier County and authorize the Chairman to execute the Change Order.
7. Recommendation to accept the Report from the March 15, 2010 Joint Board of County Commissioner (BCC) and Tourist Development Council (TDC) workshop covering tourist development tax dollars and associated budgetary considerations.

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

1. Recommendation that the Board of County Commissioners (BCC) and the Board of County Commissioners acting as the Bayshore Gateway Triangle Community Redevelopment Agency Board (CRA) approve an amendment to the service contract of the Bayshore Gateway Triangle CRA Executive Director and appoint David Jackson to the new position of Executive Director of Business and Economic Development.

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

1. Commissioner Henning requests Board approval for reimbursement regarding attendance at a function serving a valid public purpose. He attended the Greater Naples Chamber of Commerce Wake Up Naples event on March 17, 2010 at the Naples Hilton Hotel, 5111 Tamiami Trail North, Naples. \$25 to be paid from Commissioner Henning'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 March 13, 2010 through March 19, 2010 and for submission into the official records of the Board.
2. To obtain Board approval for disbursements for the period of March 20, 2010 through March 26, 2010 and for submission into the official records of the Board.
3. To obtain Board approval for disbursements for the period of March 27, 2010 through April 2, 2010 and for submission into the official records of the Board.

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

1. Recommendation to authorize the County Attorney to file a lawsuit, on behalf of the Collier County Board of County Commissioners, against the Collier County Housing Development Corporation, now known as the Housing Development Corporation of Southwest Florida, for failure to comply with the grant agreement to develop Cirrus Pointe.



2. Recommendation to approve the mediation settlement in the lawsuit filed by James Cooney and Rosemary Cooney against the Board of County Commissioners, in Collier County Circuit Court, for the sum of \$6,605 and authorize the Chairman to execute the Settlement Agreement.
3. Recommendation to authorize the County Attorney to advertise an ordinance for future Board consideration which would establish a mechanism to create a dedicated source of revenue to fund an economic development program and to advance economic development initiatives in zones of geographic concentration within unincorporated Collier County. These zones, to be called Innovation Zones, will be designated by the Board from time to time through the implementation of Economic Development Plans adopted by Resolution for each Innovation Zone.
4. Recommendation to adopt a Resolution limiting repetitive public petitions and comments.

**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 to approve an amendment to Ordinance No. 2009-02 to correct a scrivener's error pertaining to the repeal of ordinances and resolutions as to various inactive taxing districts located within Collier County.
- B. Recommendation to adopt an ordinance amending Ordinance No. 90-17, as amended, the Collier County Noise Control Ordinance, which would provide for an exemption of noise resulting from authorized uses at the current location of the Swamp Buggy Recreation and Sports Park and provide for actual and recorded notice of this exemption to nearby parcels.
- C. Recommendation to adopt an Ordinance amending Ordinance No. 92-40, as amended, which created the Immokalee Beautification Municipal Service Taxing Unit, to expand its purpose to include stormwater and drainage.
- D. This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members. PUDZ-2007-AR-11320 Sembler Family Partnership #42, represented by Robert J. Mulhere, AICP of RWA, Inc and R. Bruce Anderson, Esquire, of Roetzel and Andress, requesting a rezoning from Rural Agriculture (A) zoning to Mixed-Use Planned Unit Development (MPUD) to be known as McMullen MPUD. The 19.32 acres Rural Agricultural zoned site is proposed to permit a mixed-use development. The rezoning petition allows for a maximum of 185,000 square feet of commercial development. The subject property is generally located one-half mile east of Collier Boulevard (CR 951) on Rattlesnake-Hammock Road Extension, the south one-half of the southeast one-quarter of the southwest one-quarter of Section 14, Township 50 South, Range 26 East, Collier County, Florida. (CTS)

**18. ADJOURN**

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