

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



**AGENDA**  
**May 25, 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 Vice-Chairman  
Donna Fiala, BCC Commissioner, District 1, CRAB 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. Dr. Edward Thompson - First Presbyterian Church of Naples

**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. April 27, 2010 - BCC/Regular Meeting

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

**A. 20 Year Attendees**

- 1. Ernst Augustin, Road Maintenance
- 2. Edward Chesser, Coastal Zone Management
- 3. Peggy Jarrell, Community Development Operations Department
- 4. Peter Schalt, Public Utilities Planning and Project Management Department
- 5. Matthew Vila, EMS
- 6. Rhonda Watkins, Pollution Control

**B. 25 Year Attendees**

- 1. William Lorenz, Engineering Environmental Planning and Zoning Services
- 2. Kathryn Nell, County Attorney's Office
- 3. Raymond Ognibene, Water Department
- 4. Raymond Smith, Pollution Control

**C. 30 Year Attendees**

- 1. Lazaro Blanco, Road Maintenance
- 2. Allen Madsen, Coastal Zone Management

**4. PROCLAMATIONS**

- A. Proclamation designating May 28, 2010 as Collier County Bike to Work Day. To be accepted by David Buchheit, Joe Bonness, Michelle Avola, and Stacy Revay. Sponsored by Commissioner Halas.
- B. Proclamation designating June 1 through June 7, 2010 as Collier County CPR and AED Awareness Week. To be accepted by Jeff Page. Sponsored by Commissioner Fiala.
- C. Proclamation designating May 16 through May 22, 2010 as National Association of Insurance Women International Week. To be accepted by Belinda Zivich. Sponsored by Commissioner Coletta.

## 5. PRESENTATIONS

- A. Presentation of the Collier County "Business of the Month" award to Arthrex Inc. for May 2010. To be accepted by Reinhold Schmieding, President and Founder.
- B. Presentation honoring Ms. Deborah K. Horvath, longtime CEO of the American Red Cross Collier Chapter. To be presented by Reg Buxton, ARC Board Chairman.
- C. Recommendation to recognize Brenda Brillhart, Purchasing Agent, Purchasing Department, as the Employee of the Month for May 2010.
- D. Presentation from the chairman of the Horizon Study Oversight Committee to the Board of County Commissioners of the annual report of the activities of the Oversight Committee.
- E. This item to be heard at 10:45 a.m. Presentation of a Post 2010 Legislative Session Summary by Keith Arnold, Principal of J. Keith Arnold and Associates.
- F. Presentation by Chick Heithaus, Chairman, on the current status of SCORE and the partnerships forged to increase the ability of SCORE to reach out to businesses and provide an increased depth of counseling. (Commissioner Coletta's request.)

## 6. PUBLIC PETITIONS

- A. Public Petition request by Ms. Linda Fasulo to obtain permission to serve alcohol at a fundraising event.
- B. Public Petition request by Ms. Lindsay Addison regarding intersection safety ordinance fine.
- C. Public Petition by Pastor David Mallory requesting an extension of a tri-party agreement for four residential modular units.

*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

## 9. BOARD OF COUNTY COMMISSIONERS

- A. Appointment of member to the Water and Wastewater Authority.
- B. Appointment of member to the Collier County Planning Commission.
- C. Appointment of member to Collier County Citizens Corps.
- D. Appointment of member to the Contractors Licensing Board.
- E. *This item to be heard at 11:30 a.m.* Recommendation to direct the Collier County Supervisor of Elections to place a straw ballot referendum on the November 2, 2010, ballot for the General Election concerning consolidating the independent fire districts.
- F. Discussion regarding State Constitutional Provisions permanently prohibiting oil drilling or pipelines in Florida waters. (Commissioner Coyle)

**10. COUNTY MANAGER'S REPORT**

- A. Recommendation to approve the combination of the Annual Update and Inventory Report (AUIR) and the Capital Improvements Element (CIE) annual amendment of the Growth Management Plan (GMP). (Mike Bosi, AICP, Comprehensive Planning Manager, Growth Management Division)**
- B. Recommendation to accept the Return on Investment (ROI) report on the enhanced tourism marketing program in the 1st Quarter 2010 using funds transferred from Catastrophe and Major Beach Renourishment Reserves. (Jack Wert, Tourism Director)**

**11. PUBLIC COMMENTS ON GENERAL TOPICS**

**12. COUNTY ATTORNEY'S REPORT**

- A. Request for direction with respect to the Collier County Intersection Safety Ordinance, in light of the recent passage of HB 325, which established statewide legislation regulating red light cameras.**

**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 accept a proposed settlement providing for Partial Release of Lien in the Code Enforcement Action entitled Collier County v. Tatiana E. Tannehill, Code Enforcement Special Magistrate Case No. 2007-050876, for payment of \$14,010.30, to release property known as 4544 Fluvia Avenue (parcel ID 63453440005), Collier County, Florida.**
- 2. Recommendation to approve the Release and Satisfaction of Lien in the Code Enforcement Action entitled Board of County Commissioners vs. Patrice Savignano, Code Enforcement Board Case No. 2004070573, relating to property located at 2800 County Barn Road, Collier County, Florida.**
- 3. Recommendation to approve the Proposed Settlement providing for Compromise and Release of Liens for the Code Enforcement Action entitled Board of County Commissioners vs. Dawn and Linzel R. Jeffrey, Code Enforcement Case No. CESD20090003484 relating to property located at 3141 Pine Tree Drive, Naples, Florida.**

4. Recommendation to approve Proposed Settlement providing for Compromise and Release of Liens in the Code Enforcement Action entitled HSBS Bank USA National Association Tr., Case Numbers 2007010799, CESD2008000775, and CESD20080007891 relating to property located at 3160 4th Street NW, Naples, Florida.
5. Recommendation to approve final acceptance of the water and sewer utility facilities for Naples Nissan.
6. Recommendation to execute the Termination of Developer Contribution Agreement between Collier County and Long Bay Partners, LLC and document the satisfaction of all DCA commitments relating to the design, right of way acquisition and construction of Livingston Road.
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 Bay House Replat.
8. Recommendation that the Board of County Commissioners (BCC) concur with staffs proposal to work with the Developer of Coco Lakes, as necessary, to complete the project as proposed and to allow the issuance of Certificates of Occupancy on homes as certain construction milestones are met.
9. Recommendation to approve the Release and Satisfaction of Lien in the Code Enforcement Action entitled Board of County Commissioners vs. Marvin R. Hoeman, Code Enforcement Board Case No. CESD20080005124, relating to property located at 5513 26th Avenue SW, Collier County, Florida.
10. Recommendation to approve the Release and Satisfaction of Lien in the Code Enforcement Action entitled Board of County Commissioners vs. Linda L. Hiatt, Kevin Hiatt and Jennifer Hiatt, Code Enforcement Special Magistrate Case No. CEP20080005772, relating to property located at 5021 Coronado Parkway, Collier County, Florida.
11. Recommendation to provide a public information and technical assistance program to guide property owners in preparation for Elevation Certificates and Letter of Map Amendment (LOMA) applications when the new FEMA Digital Flood Insurance Rate Maps (DFIRMs) are released and become effective.
12. Recommendation to adopt a resolution superseding Resolution 2001-316, in order to amend the Code Enforcement Director's authority relating to settlement of Code Enforcement liens, in accordance with direction provided by the Board of County Commissioners on May 11, 2010.
13. Recommendation to approve the issuance of the building permit prior to approval of the requisite Site Development Plan (SDP) to allow for an approximate 20,000 square-foot addition to the existing produce processing and packaging facility owned and operated by Florida Specialties, Inc. (located at 601 East Main Street in Immokalee), and further to allow the issuance of a Temporary Certificate of Occupancy (TCO) until all site construction has been completed. This expedited process will allow Florida Specialties, Inc. to meet its contractual agreements and triple its current production capacity, resulting in a projected minimum of 25 new jobs.

## **B. TRANSPORTATION SERVICES**

1. Recommendation to approve the purchase of a road right-of-way, drainage and utility easement (Parcel No. 291RDUE) which is required for the expansion of Golden Gate Boulevard from two lanes to four lanes between Wilson Boulevard and DeSoto Boulevard (Project No. 60040) - Fiscal Impact: \$2,985.

2. Recommendation to award Bid #10-5408 - Mitigation Credits to Southwest Florida Wetlands, Little Pine Island Mitigation Bank and the Wetlands Bank Group. Projected Annual Expenditures: \$1,000,000
3. Recommendation to approve the purchase of a Perpetual, Non-exclusive, Road Right-of-Way, Drainage and Utility Easement (Parcel 467RDUE) containing 8,250 square feet, which is required for the four-laning of Golden Gate Boulevard between Wilson Boulevard and DeSoto Boulevard. Project No. 60040 (Fiscal Impact: \$5,705).
4. Recommendation to award bid #10-5457 for the purchase and installation of Roll Down Shutters for Collier Area Transit Station, Golden Gate Community Center and the Immokalee Sports Complex to EZ Lock Shutters & Glass, Inc., for an estimated \$173,676 under FEMA Hazard Mitigation Grant Program.
5. Recommendation to approve the Collier Metropolitan Planning Organizations (MPO) Operating Budget for FY 2010/11, including a \$5,000 County match for Federal Highway Administration Planning.
6. Recommendation to award a contract for ITB 10-5410, Roadway Paint, Thermoplastic Markings and Raised Markers to Road Safe Traffic Systems, Inc., in the estimated annual amount of \$1,500,000.

#### C. PUBLIC UTILITIES

1. Recommendation to approve the Satisfactions of Lien for Solid Waste residential accounts wherein the County has received payment and said Liens are satisfied in full for the 1992, 1993, 1994, 1995, and 1996 Solid Waste Collection and Disposal Services Special Assessment. Fiscal impact is \$118.50 to record the Satisfactions of Lien.
2. Recommendation to waive competition and authorize two sole-source agreements; one with Allen-Bradley/Rockwell Automation for all variable frequency drives and programmable logic controllers, and one with Data Flow Systems for all telemetry controllers, both for a period of three years.
3. Recommendation to award Bid #09-5306 Household Hazardous Waste Collection Contractor, to E.Q. Florida, Inc. as the primary contractor and Clean Harbors Environmental Services, Inc. as the secondary contractor in the amount not to exceed \$500,000 per year.
4. Recommendation to authorize budget amendments of approximately \$1,000,000 to transfer a Master Pump Station Mechanical Improvements project from the Wastewater Capital Projects Fund to the 2006 Revenue Bond Proceeds Fund to segregate the projects funded by the 2006 Revenue Bond.

#### D. PUBLIC SERVICES

1. Recommendation to approve a Second Lease Modification Agreement with The Children's Museum of Naples, Inc. to extend the construction completion date to December 31, 2013.
2. Recommendation to approve and ratify after the fact, the electronically submitted attached Senior Corps Retired and Senior Volunteer Program (RSVP) application for grant renewal to the Corporation for National and Community Service, for the continuation of the Collier County sponsored RSVP program, and if awarded, will provide grant funds in the amount of \$68,152.
3. Recommendation to approve and authorize the Chairman to sign nine (9) releases of lien for deferral of 100 percent of Collier County impact fees for owner occupied affordable housing dwelling units.

4. Recommendation to approve a Ground Lease Agreement for Communication Tower with New Cingular Wireless PCS, LLC, for land at Max Hasse Community Park for a first years rent income of \$40,000.
5. Recommendation to approve and authorize the Chairman to sign two (2) sub recipient agreements providing for a \$35,000 State Housing Initiatives Program (SHIP) grant to The Empowerment Alliance of SW Florida Community Development Corporation (EASF), and a \$35,000 SHIP grant to the Housing Development Corporation of SW Florida (HDC). These agencies will provide Homebuyer Education Counseling and/or Pre-Purchase, Extended Credit and/or Foreclosure Prevention Counseling to benefit persons earning less than 120% of Family Median Income of Collier County.
6. Recommendation to approve a budget amendment recognizing \$156,948.16 in carry-forward revenue from Fund 116, Marco Island Affordable Housing Fund, and \$50,000 in contributions for FY10 from the City of Marco Island as required by Interlocal Agreement.
7. Recommendation to approve budget amendments recognizing the Fiscal Year 2010-11 U.S. Department of Housing and Urban Development (HUD) Entitlement funding allocation in the amount of \$3,376,051.
8. Recommendation to approve and authorize staff to advertise the attached proposed ordinance entitled Collier County Public Parks and Beach Access Parking Ordinance to be presented at a later Board meeting following advertisement for final approval.
9. Recommendation to approve and authorize the Chairman to sign a contract amendment between the Area Agency on Aging of Southwest Florida, Inc. and Collier County as it relates to the schedule of advance re-payments and invoices under the Home Care for the Elderly Grant program. There is no fiscal impact associated with this item.
10. Recommendation to approve and authorize the Chairman to sign an agreement and associated forms with the Florida Department of Community Affairs to accept Community Development Block Grant funding for the Disaster Recovery Program in the amount of \$9,963,208 and approve a budget amendment to allocate the funding.
11. Recommendation to approve and authorize the Chairman to sign contract amendments between the Area Agency on Aging of Southwest Florida, Inc. and Collier County to extend the grant period by ninety days, approve budget amendments to reflect funding for the FY10-11 State General Revenue Seniors Programs in the amount of \$836,034, and authorize the continued payment of grant expenditures. (Fiscal impact \$836,034)

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

1. Recommendation to approve Amendment No. 05 to the Agreement with Collier County District School Board for the Driver Education Program to provide \$201,800 in funding.
2. Recommendation to conduct the Conservation Collier Annual Public Meeting to provide the Board of County Commissioners and public with an update on the Programs past activities, to make a public call for proposals for the current acquisition cycle, and to direct the County Manager, or his designee, to transfer up to a total of \$10.3 million additional dollars from the Conservation Collier Acquisition Trust Fund to the Conservation Collier Land Management Trust Fund in FY 2011, FY 2012, and FY 2013.

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

1. Recommendation that the Board of County Commissioners approve reimbursement to Pelican Bay Services Division for surplus property sales from the past three years and approve all future proceeds of Pelican Bay Services Division property sold at surplus be credited to the appropriate Pelican Bay Services Division Fund.

2. Recommendation that the Board of County Commissioners approves Pelican Bay Services Division to hold a workshop to explore the possibility of becoming an Independent District.
3. *This item continued from the May 11, 2010 BCC Meeting.* Recommendation to approve a lease purchase agreement with Zoll Medical Corporation for the replacement of twenty-eight (28) AutoPulses for Emergency Medical Services in the amount of \$146,655.31.
4. Recommendation to approve the submittal of a Federal Emergency Management Agency Assistance to Firefighters Grant in the amount of \$16,000 for the purchase of fitness equipment for the Isles of Capri Fire Rescue District and authorize on-line submittal of the application.
5. Recommendation to approve Change Order #2 on Contract 07-4169 with Research Data Services, Inc. for up to \$25,000 in additional research services for focus groups and measuring the return on investment on additional TDC marketing funds utilized in FY 10 in accordance with their agreement with Collier County and authorize the Chairman to execute the Change Order.
6. Recommendation to adopt a resolution approving budget amendments (appropriating grants, donations, contributions or insurance proceeds) to the Fiscal Year 2009-10 Adopted Budget.

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

1. Recommendation to approve and authorize the execution of the attached grant agreement with the Florida Airports Council (FAC) in the amount \$3,500, and approve all necessary budget amendments for a 2010 summer internship program for the Collier County Airport Authority.
2. Recommendation to approve and authorize the Chairman to execute Deed of Utility Easement and Utility Facilities Warranty Deed and Bill of Sale required for Marco Island Utilities to relocate a reclaimed water main that runs through the new vehicle parking lot at the Marco Island Executive Airport.
3. Recommendation that the Board of County Commissioners (BCC) and the Board of County Commissioners acting as the Immokalee Community Redevelopment Agency Board (CRA) approve an amendment to the service contract of the Immokalee CRA Executive Director and authorize the appointment of Penny Phillippi as Interim Executive Director Airport Authority.

#### H. BOARD OF COUNTY COMMISSIONERS

1. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Economic Development Council of Collier County Investor Meeting on May 4, 2010 at the Naples Daily News Community Room in Naples, FL. \$20 to be paid from Commissioner Fiala's travel budget.
2. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Reception and Dinner for The Jackson Laboratory at Hamilton Harbor Yacht Club on May 11, 2010 in Naples, FL. \$62.33 to be paid from Commissioner Fiala's travel budget.
3. Recommendation to approve an Employment Agreement appointing Ian Mitchell to serve as the Executive Manager to the Board of County Commissioners and to approve revisions to the County Manager Agency Policies and Procedures (CMA) number 5350 and 5351 relating to the Executive Manager and Executive Aides employment and authorize the Chairman to execute the Agreement and approve the CMA changes.

#### I. MISCELLANEOUS CORRESPONDENCE

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



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

- 1. Recommend approval for the Collier County Sheriff's Office to make an application to the U.S. Department of Justice, Office of Justice Programs, Bulletproof Vest Partnership program to seek reimbursement for fifty percent of the cost of 214 bulletproof vests for law enforcement and correction members. If awarded, request authorizations for the Collier County Sheriff's Office to accept the reimbursement grant, approve any associated budget amendments, and manage the reimbursement program for the two year period.**
- 2. Budget Amendment recognizing revenue and expenditures in Sheriff's FY10 General Fund budget.**
- 3. To obtain Board approval for disbursements for the period of May 1, 2010 to May 7, 2010 and for submission into the official records of the Board.**
- 4. To obtain Board approval for disbursements for the period of May 8, 2010 through May 14, 2010 and for submission into the official records of the Board.**

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

- 1. Recommendation to approve the attached draft ordinance creating the Marco Island Museum Advisory Board to report to the Board of County Commissioners and to specifically review management and policy issues pertaining to the Marco Island Museum and to direct the County Attorney to advertise the ordinance for approval at a future Board meeting date.**
- 2. Recommendation to approve the mediation settlement prior to trial in the lawsuit entitled Phyllis Robinson and Earl Robinson v. Sutton, et al., filed in the Twentieth Judicial Circuit in and for Collier County, Florida, Case No. 09-7574-CA, for the sum of \$81,250 and authorize the Chairman to execute the Settlement Agreement.**

**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 all participants be sworn in and ex parte disclosure be provided by Commission members.* VA-PL2009-1220, Leo F. Lasher, is requesting one after-the-fact variance for an existing shed that is an accessory structure to a single family dwelling. The request is for a variance of 9.4 feet from the required rear yard setback of 75 feet as required by Collier County Land Development Code Subsection 4.02.01 Table 2.1. to allow the existing accessory structure to remain at 65.6 feet from the rear property line. The subject 2.5 acre property is located at 265 21st Street SW, in Section 7, Township 49 South, Range 27 East, Collier County, Florida.**

- B. *This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members:*** RZ-PL2009-910: Port of the Islands Community Improvement District, represented by Robert Duane, AICP of Hole Montes, is requesting a Rezone from the Conservation (CON) and Resort Tourist (RT) Zoning Districts with a Conditional Use for essential services to the Public (P) Zoning District. Subject property is located on 4.848 acres in Section 4, Township 52 South, Range 28 East, Collier County, Florida (Companion to VA-PL2009-1077) (CTS)
- C. *This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members:*** Recommendation to approve five (5) variances to allow for the expansion of the existing water plant and upgrading of the wastewater plant at the Port of the Islands Community Improvement District. VA-PL2009-1077: Port of the Islands Community Improvement District, represented by Robert Duane, AICP of Hole Montes, is requesting the following variances: 1) a variance from LDC Section 4.02.01, Table 2.1, that required a 50-foot rear setback, to allow existing structures to be placed within 12.6 feet of the rear property line, which is a reduction of 37.4 feet; 2) a variance from LDC Section 6.06.01, that requires a 60-foot right-of-way width, to allow a 35-foot wide right-of-way width, a reduction of 25 feet; 3) a variance from LDC Section 4.05.04, Table 17; that requires 1 parking space per 500 square feet for a required 17 parking spaces, to allow one space per employee of the largest shift which would be no less than 3 employees, a reduction of 14 parking spaces; 4) a variance from LDC Sections 4.06.02.C.4 and 6.06.01.P.1, that requires a type D buffer along the western boundary of the shared access road, to eliminate the buffer, a reduction of the buffer to 0 feet; and 5) a variance from LDC Section 4.06.02 Table 2.4, that requires a type B buffer on the perimeter or western edge of the shared access road, a reduction to zero feet, to allow the buffer instead on the eastern edge of the shared access road. Subject property is located on 4.848 acres in Section 4, Township 52 South, Range 28 East, Collier County, Florida.(Companion to RZ-PL2009-910)(CTS)
- D.** Recommendation to adopt an Ordinance amending the Collier County Consolidated Impact Fee Ordinance, which is Chapter 74 of the Collier County Code of Laws and Ordinances, by incorporating directed changes to the Impact Fee Program for Existing Commercial Redevelopment and providing amended provisions to allow impact fee credits to run with the land in perpetuity until used or transferred
- E. *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 AVESMT-2009-AR-14162, to disclaim, renounce and vacate the County's and the Public's interest in a portion of a 15-foot wide Drainage Easement on Lot 151 and a portion of a 15-foot wide Drainage Easement on Lot 157, both Lots being part of a plat known as Leawood Lakes and recorded in Plat Book 24, Pages 62 through 64, of the Public Records of Collier County, Florida, in Section 6, Township 50 South, Range 26 East, Collier County, Florida, and being more specifically depicted and described in Exhibit A.
- F.** Recommendation to adopt a resolution approving budget 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.