

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



**AGENDA**

June 22, 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. Pastor John Boutchia - Gospel Baptist 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. May 17, 2010 - BCC/LDC Meeting Minutes**
- C. May 25, 2010 - BCC/Regular Meeting Minutes**
- D. June 2, 2010 - BCC/LDC Meeting Minutes**

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

### **A. Advisory Committee Service Awards**

#### **1. 5 Years**

**Chief Thomas Davis, Immokalee Enterprise Zone Development Agency.  
Stephen C. Main, Bayshore/Gateway Triangle Local Redevelopment Advisory Board.**

#### **2. 15 Years**

**William L. Seabury, Forest Lakes Roadway & Drainage Advisory Committee.  
David Correa, Hispanic Affairs Advisory Board.  
Fred N. Thomas, Jr., Immokalee Enterprise Zone Development Agency.  
Gary D. Lind, Housing Finance Authority.**

## **4. PROCLAMATIONS**

- A. Proclamation designating July 18, 2010 through July 24, 2010 as Probation, Parole and Community Supervision Week. To be accepted by members of Florida Department of Corrections, Community Corrections Staff including Support Staff, Management and Probation Officers. Sponsored by Commissioner Coletta.**

## **5. PRESENTATIONS**

- A. Presentation of the Collier County "Business of the Month" award to Parker-Hannifin for June 2010. To be accepted by Tom Schlessinger and/or Greg Crowe.**
- B. Joint presentation by South Florida Water Management District, Clarence Tears, Big Cypress Basin Director and Collier County Staff to brief the Board of County Commissioners on the current conditions of the areas surface water management system and rainy season/hurricane preparedness.**
- C. Presentation by Mr. Geoffrey Moebius, CEO (Ret.), Physicians Regional Healthcare System, on the status of the progress to date of the Blue Ribbon Panel on Pre-Hospital Emergency Medical Services.**
- D. Presentation by Bureau of Emergency Services Director Dan Summers regarding the Deepwater Horizon Oil Spill Response.**

## **6. PUBLIC PETITIONS**

- A. Public Petition request by Ms. Donna Sadler regarding the planned installation of a bridge over the canal on 23rd Street Southwest.**

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. Discussion regarding potential settlement of the lawsuit involving the South Florida Water Management District. (Commissioner Coletta)
- B. Update from the Trust for Public Land regarding the results of their poll to determine the level of support for a ballot measure in November for expansion of the Naples Zoo. (Commissioner Fiala)
- C. Status report on the Jackson Labs Project. (Commissioner Coyle)
- D. Appointment of member to the Contractors Licensing Board.

**10. COUNTY MANAGER'S REPORT**

- A. *This item to be heard at 11:00 a.m.* Recommendation to approve the conceptual plan for replacement of the Vanderbilt Beach restrooms and approval to move forward with design, permitting and bidding of a new beach park facility at this location along with authorization of associated budget amendments. (Gary McAlpin, Coastal Zone Management Director)
- B. *This item to be heard at 2:00 p.m.* Recommendation to provide direction to the County Manager regarding a request from the Parks and Recreation Advisory Board to re-appropriate funding associated with Project # 80122 Manatee Community Park to develop a Fitness, Community, and Aquatic Center at Eagle Lakes Community Park. (Barry Williams, Director, Parks and Recreation)
- C. Recommendation that the Board review the attached documentation of the work that was done for the County, and based on a determination for each vendor that the payments sought fairly and equitably reflect the fair value of the work done and materials furnished to the County, for which the County has benefited, directs the Clerk of Courts to pay the attached invoices. (Len Price, Administrative Services Administrator)
- D. Recommendation to the Board of County Commissioners to authorize the proposed schedule for the adoption of the Collier County Administrative Code while concurrently limiting amendments to the Land Development Code until the adoption of the Administrative Code is completed. (Susan M. Istenes, AICP, Special Projects, County Manager's Office)
- E. Recommendation to approve an Agreement for Sale and Purchase with Paul A. Cosentino, Trustee of the Paul A. Cosentino Revocable Trust Dated February 11, 2009 for 8.92 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$290,500. (Melissa Hennig, Environmental Specialist, Facilities Management)

- F. To request approval from the Board of County Commissioners (BCC) regarding the proposed approach to quantify the number of existing market rate units that would qualify as affordable under the affordable housing guidelines. (Mike Bosi, Manager, Comprehensive Planning Section, Growth Management)
- G. Recommendation to approve the award of RFP 10-5455, Management Services Contract, for the Collier Area Transit (CAT) Fixed Route and Paratransit Programs to Limousines of South Florida, Inc. /Tectrans, Inc. for an estimated annual amount of \$6,092,167. (Norman Feder, Growth Management Division Administrator)

**11. PUBLIC COMMENTS ON GENERAL TOPICS**

**12. COUNTY ATTORNEY'S REPORT**

**13. OTHER CONSTITUTIONAL OFFICERS**

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

**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. GROWTH MANAGEMENT DIVISION**

- 1. Recommendation to approve final acceptance of the water facility for Fisher Eye Center.
- 2. Recommendation to approve final acceptance of the water utility facility for Spring Hill Suites.
- 3. Recommendation to approve final acceptance of the water utility facility for Fountain View Apartments, Phase II.
- 4. Recommendation to approve, and authorize the Chairman to sign, a Job Creation Investment Program Agreement with Guadalupe Center, Inc., consistent with the provisions of the Job Creation Investment Program and the company's approved incentive application.
- 5. Recommendation to approve the Release and Satisfaction of Lien in the Code Enforcement Action entitled Board of County Commissioners vs. Louise Lorestie and Mortimer Calizte Estate, Code Enforcement Special Magistrate Case No. 2005090887, relating to property located at 4106 Rose Avenue, Collier County, Florida.
- 6. Recommendation to approve a declaration setting aside county-owned lands for the future expansion of County Barn Road roadway, sidewalk, drainage and utility facilities. Project #60101. (Fiscal impact: \$18.50)

7. Recommendation to approve an Easement Agreement and to convey a Construction, Operation, and Maintenance Easement to Florida Power and Light Corporation (FPL) for the purpose of building three phase power delivery facilities to the pump station as part of the Gateway Triangle Stormwater Improvements construction / Phase 2, Collier County Capital Project #51803.
8. Recommendation to approve Work Order based on RFQ 08-5011-17 Forest Lakes Bond Project F-56 South Woodshire Blvd. Drainage Swale Piping and Restoration to Haskins, Inc. using the Fixed Term Underground Utility Contracting Services, Contract No. 08-5011, in the amount of \$314,312.
9. Recommendation to accept a Pedestrian Signal Warrant Report and approve the installation and operation of a Pedestrian Traffic Signal at the intersection of Radio Road (CR 856) at San Marcos Boulevard, at an annual maintenance cost of approximately \$1,500.
10. Recommendation to authorize the Chairman of the Board of County Commissioners to execute a Resolution and Supplemental Agreement Number One to the current Asset Management Contract # BD-418 with the Florida Department of Transportation (FDOT) whereby FDOT will reimburse Collier County the sum of \$3,847.04 for applying additional pavement markings and striping on SR82 (Immokalee Road) at the intersection of CR850 (Corkscrew Road) within Collier County (FDOT Project #412918-1-72-01).
11. Recommendation to approve a budget amendment to increase available capital funding for intersection safety projects within the Traffic Operations (101) Operating Fund in the amount of \$112,600.
12. Recommendation to approve changes to the Drug Free Workplace Policy from the Personnel Manual for the employees of Collier Area Transit in order to comply with Federal Transit Administrations regulations.
13. Recommendation for the Board of County Commissioners to recognize FY 2009/2010 Federal Transit Administration Section 5311 additional revenue in the amount of \$43,620 to Collier Area Transit Fund (426) and approve the necessary budget amendments.
14. Recommendation to accept a Traffic Signal Warrant Study and approve the installation and operation of a Traffic Signal at the intersection of Rattlesnake Hammock Road (CR864) at Grand Lely Drive/Skyway Drive, at an annual maintenance cost of approximately \$3,500.
15. Recommendation to approve a Work Order for a construction project to Bonness, Inc. for the Naples Park Sidewalk Improvements in the amount of \$334,283.27, Contract No. 09-5197, Project No. 69081.
16. Recommendation to award a construction contract to C. W. Roberts Contracting, Inc. for the Greenway Project running along the FPL easement between Rattlesnake Hammock Road and Radio Road, Bid No. 10-5496. Project Nos. 60087 and 69081, in the amount of \$586,956.
17. Recommendation to approve Change Order 2 for Work Order URS-FT-3657-07-11 with URS Corporation Southern (URS) that authorizes \$49,440 for Phase 2 work and reduces the contract cost by \$40,142 for a revised total contract cost of \$158,698 to provide Project Management and Oversight services for the development of Watershed Management Plans required by the Growth Management Plan.
18. Recommendation to approve the Release and Satisfaction of Lien in the Code Enforcement Action entitled Board of County Commissioners vs. Heriberto and Antonio Perez, Code Enforcement Board Case No. CESD20080000222, relating to property located at 5384 Carolina Avenue, Collier County, Florida.
19. Recommendation to Award RFP No. 10-5456 for Verification Testing Services for Oil Well Road, for an estimated cost of \$200,000 Project # 60044.

20. Recommendation to approve the Partial Release and Satisfaction of Lien for the Code Enforcement Action entitled Board of County Commissioners vs. Sergio Valencia, CEB Case No. 2006090115, relating to property located at 2080 16th Avenue SW, Collier County, Florida. (Revenue received \$847.09)
21. Recommendation to approve the Release and Satisfaction of Lien in the Code Enforcement Action entitled Board of County Commissioners vs. Southern Development Co. Inc, Code Enforcement Board Case No. CEVR20080014785, relating to property located at 13245 Tamiami Trail East, Collier County, Florida.
22. Recommendation to approve the Release and Satisfaction of Lien in the Code Enforcement Action entitled Board of County Commissioners vs. Odet Mendez, Code Enforcement Board Case No. CESD20080009445, relating to property located at 1924 41st Street SW, Collier County, Florida.
23. Recommendation to approve the Release and Satisfaction of Lien in the Code Enforcement Action entitled Board of County Commissioners vs Cynthia Aurelio Markle, CEB Case No. 2006060005 relating to property located at 4442 Wilder Road, Naples, Florida.

#### **B. COMMUNITY REDEVELOPMENT AGENCY**

1. Request that the Collier County Community Redevelopment Agency (CRA) approve the application and recipient agreement for the Immokalee CRA Commercial Faade Improvement Grant Program for reimbursement of \$20,000 for faade improvements to Jack & Lils Unisex Salon located at 324 South Second Street in Immokalee, Florida.
2. Recommendation to the Board of County Commissioners, acting as the Community Redevelopment Agency, to approve Change Order No. 6 to Contract No. 08-5073 with RWA, Inc. for the Immokalee Area Master Plan and Related Services in the amount of \$75,000 to fund additional work, and approve necessary budget amendment.
3. Recommendation for the Community Redevelopment Agency to approve an Extension and First Amendment to Lease Agreement for the Bayshore Gateway Triangle CRA to continue leasing its current office space for a term of (24) twenty-four months, and authorize the Chairman to sign the Lease Agreement. (Fiscal Impact \$23,046).

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

1. Recommendation to adopt a Resolution approving Special Assessment Hardship Deferrals for certain Sewer Special Assessments for the 2010 tax year.
2. Adopt a Resolution to approve the Satisfaction of Lien for the Solid Waste residential account wherein the County has received payment and said Lien is satisfied in full for the 1996 Solid Waste Collection and Disposal Services Special Assessment. Fiscal impact is \$20 to record the Satisfaction of Lien.
3. Recommendation to 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.
4. Recommendation to approve Amendment No. 2 to the Harris Computer Corporation contract at an approximate cost of \$31,000 to implement IWEB, a web-based credit card payment application hosted on a third party, Payment Card Industry-compliant website that will be linked directly to the Collier County Water-Sewer Districts InHance billing system.
5. Recommendation to provide increased recycling services and household hazardous waste collection in North Naples by (1) authorizing staff to design and build a North Naples Recycling Center at a cost of \$1,600,000; and, (2) approve the acquisition of 1 acre +/- of land from the Collier County Water-Sewer District by the Solid Waste Management Department at a cost of

**\$414,000 for the construction of the recycling center; and (3) authorize the necessary budget amendment. These actions will save valuable airspace, comply with the County's Growth Management Plan, and the Integrated Solid Waste Management Strategy by diverting recyclable materials from the landfill and protecting our natural resources.**

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

- 1. Recommendation to provide after the fact approval for the submittal of a Bring Pets Home Shelter grant application to the Bring Pets Home Foundation in the amount of \$10,000 to purchase martingale-style collars for all adoption dogs.**
- 2. Recommendation to approve and execute documents necessary for the conveyance to the City of Naples of water utility facilities located at Sugden Park, at a cost not to exceed \$50, Project 80007.1.**
- 3. Recommendation to approve Category A Tourist Development Council Grant Applications from the City of Naples, the City of Marco Island and Collier County for FY-2010/2011 in the amount of \$2,766,613 and authorize the Chairman to sign grant agreements after County Attorneys approval.**
- 4. 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 \$30,492.52.**
- 5. Recommendation to approve a Second Amendment to Real Estate Conveyance Agreement 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 a Resolution to authorize the County Manager or his/her designee to execute Social/Senior Services grant applications and contract documents and to supercede Resolution No. 96-268 regarding similar signature authority.**
- 7. Recommendation to authorize the County Manager, or his designee, to approve Change Order #6 in the amount of \$108,488.53 to BCBE Construction Co., Inc. Contractor for the Goodland Boat Park Project #80611.1 under Contract #09-5169 to provide additional scope of work due to unforeseen site conditions.**

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

- 1. Recommendation to approve the Revised Railhead Scrub Preserve Final Management Plan under the Conservation Collier Land Acquisition Program.**
- 2. Recommendation to approve the Pepper Ranch Preserve Quality Wildlife Management Hunt Program and direct the County Manager, or his designee, to implement the Program annually to include fall and spring Youth Hunts, year-round General Public Hunts, and spring General Public Turkey Hunts.**
- 3. Recommendation to authorize the Chairman to sign Modification No. 5 to U.S. Fish and Wildlife Service (USFWS) Cooperative Agreement No. 401815J021 to fund habitat restoration within Pepper Ranch Preserve SSA-7 in the amount of \$212,600; of which, \$75,000 will be reimbursed by USFWS.**
- 4. Recommendation to approve a Bill of Sale to the City of Marco Island, Florida, for the conveyance of the required water utility facilities for the Marco Island Library Rose Hall Addition, at a cost not to exceed \$30.**

5. Recommendation to approve an Agreement for Sale and Purchase with Mark L. Langkil and Penney Langkil, also known as Penney Lankil for 1.14 acres under the Conservation Collier Land Acquisition Program at a cost not to exceed \$11,925.
6. Recommendation to approve a Lease Agreement with Aversana at Hammock Bay for the installation and operation of County-owned communications equipment at a first years rent of \$600.
7. Recommendation to approve Conservation Collier Geographic Information Systems (GIS) activities rules and Activities Authorization Form.
8. Recommendation to award Request for Proposal (RFP) 10-5481 for Fencing Installation and Repair to three vendors: Carter Fence Company, Inc., Gateswork, Inc., and FA Remodeling and Repairs, Inc. in no particular order. Estimated annual expenses are \$175,000.
9. Recommendation to recognize and appropriate fingerprinting and FDLE background check revenues in the amount of \$36,922.27 and approve all necessary fiscal year 2010 budget amendments.
10. Recommendation to authorize the necessary Budget Amendment for the repair of the HVAC systems at the Main Chiller Plant (Building K), Domestic Animal Services (DAS) and Max A Hasse Jr. Community Park locations in the amount of \$57,610.
11. Recommendation to accept the report concerning the sale and donation of items associated with the County surplus auction held on April 24, 2010, resulting in gross revenues of \$348,871.

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

1. Recommendation to adopt the authorizing Bond Resolution which provides for the issuance of longer term, fixed-rate Bonds to refinance all of the County's outstanding loans under the Florida Local Government Finance Commission's Pooled Commercial Paper Loan Program (the "Commercial Paper Loan Program") pursuant to Board direction under Agenda Item 10B on April 27, 2010.
2. Recommendation to authorize the County Manager to sign an acknowledgement and acceptance of terms and conditions letter for a \$5,000 grant from the 2010 Trailblazer Grant Program sponsored by the National Center for Civic Innovation to enhance our efforts in creating Citizen Centric Performance Measures as outlined in the County Manager's FY 2010 work plan and authorize any necessary budget amendments (Project #33115).
3. Recommendation to approve and authorize the Chairman to sign an Agreement accepting the annual Emergency Management Preparedness and Assistance Grant in the amount of \$92,901 and to authorize the necessary budget amendment.
4. Recommendation to approve providing written formal notice to terminate the Advanced Life Support Partnership Interlocal Agreement with North Naples Fire Control & Rescue District in 90 days.
5. Recommendation to approve a grant application for the United States Department of Justice, Office of Community Oriented Policing Services (COPS) Technology Program in the amount of \$800,000.
6. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the Fiscal Year 2009-10 Adopted Budget.



#### **G. AIRPORT AUTHORITY**

- 1. Recommendation that the Board of County Commissioners, acting as the Airport Authority, approve and authorize the Chairman to execute Change Order No. 1 to Passarella & Associates, Inc. Work Order Number 4500116918 in the amount of \$13,600, and authorize the associated budget amendment.**
- 2. Recommendation that the Board of County Commissioners, acting as the Airport Authority, approve and authorize the Chairman to execute Change Order No. 3 to DeAngelis Diamond Construction, Inc. Contract No. 09-5245 in the amount of \$123,783.**
- 3. Recommendation that the Board of County Commissioners (BCC), acting as the Airport Authority, approve and authorize the Chairman to execute the Fourth Amendment to Assignment of Lease from Global Manufacturing Technologies, Inc. to KPK Management, Inc.**

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

- 1. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended The Greater Naples Chamber of Commerce - Wake Up Naples Meeting on April 21, 2010 at 5111 Tamiami Trail North in Naples, FL. \$25 to be paid from Commissioner Coletta's travel budget.**
- 2. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the National Day of Prayer event and luncheon on May 6, 2010 at City Hall in Everglades City, FL. \$12 to be paid from Commissioner Coletta's travel budget.**
- 3. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Immokalee Foundation Graduation & Dinner Ceremony on May 18, 2010 at Bethel Assembly of God, 1225 West Main Street in Immokalee, FL. \$20 to be paid from Commissioner Coletta's travel budget.**
- 4. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended The Economic Development Council (EDC) - Project Innovation Program Meeting on June 3, 2010 at Naples Beach Hotel, 851 Gulf Shore Blvd, Naples, FL. \$20 to be paid from Commissioner Coletta's travel budget.**
- 5. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Economic Development Council (EDC) - Post Legislative Luncheon Meeting at the Club at The Strand - 5840 Strand Blvd. Naples, FL on June 9, 2010. \$25 to be paid from Commissioner Coletta's travel budget.**
- 6. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Eastern Collier Chamber of Commerce Monthly Breakfast Meeting on May 5, 2010 at 506 1 Street South in Immokalee, FL. \$15 to be paid from Commissioner Coletta's travel budget.**
- 7. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Immokalee Rotary monthly luncheon meeting on May 5, 2010 at 621 N 15th St in Immokalee, FL. \$10 to be paid from Commissioner Coletta's travel budget.**

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

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

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

1. Recommendation to approve the use of confiscated trust funds for support services to assist in the recovery of missing/abducted children.
2. Recommendation to designate the Sheriff as the official applicant and point of contact for the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant (JAG) FY10 Local Standard grant, authorize the electronic submission of the application, accept the grant when awarded, approve associated budget amendments and approve the Collier County Sheriff's Office to receive and expend 2010 JAG Standard grant funds.
3. To obtain Board approval for disbursements for the period of May 29, 2010 through June 06, 2010 and for submission into the office records of the Board.
4. To obtain Board approval for disbursements for the period of June 05, 2010 through June 11, 2010 and for submission into the official records of the Board.
5. Recommendation to approve a budget amendment in the amount of \$59,000 to keep Teen Court operational for the current fiscal year and direct an increase in future funding to Teen Court Fund (171) from the \$65 fee.
6. To obtain Board approval of Contract #09-5270, Auditing Services for Collier County, with Ernst and Young LLP, provide for execution of the contract and an engagement letter in the amount of \$575,000 and authorization for a budget amendment of \$99,700.

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

1. Recommendation to approve a Stipulated Final Judgment for Parcel No. 20T in the lawsuit styled BCC v. Naples Heritage Community Development District, et al., Case No. 06-0082-CA (CR 951 Water Transmission Main Project No. 70151) and approve the required budget amendment. (Fiscal Impact \$2,625)
2. Recommendation to approve an Amendment to the Agreement for Collier County Partial Funding of the Collier County Legal Aid extending the expiration date to September 30, 2013.
3. Recommendation that the Board of County Commissioners, as Ex-officio the Governing Board of the Collier County Water-Sewer District, approve the filing of a civil action against Camp Dresser & McKee, Inc. (Engineering Design), Hazen and Sawyer, P.C. (Construction Engineering Inspector), and John Reynold & Sons, Inc. d/b/a Reynolds, Inc. (Contractor) to recover damages incurred as a result of the raw water transmission pipeline failure at the South Reverse Osmosis Raw Water Wellfield that occurred on February 19, 2010.
4. Recommendation to approve amending the October 22, 2002 Contribution Agreement, as amended, relating to the Sabal Bay Project, by providing that impact fee credits will run with the land in perpetuity, interest free, until used or assigned.

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:* PUDA-PL2009-1499 (KD) Lennar Homes, LLC, represented by David R. Underhill, Jr. of Banks Engineering, and R. Bruce Anderson, of Roetzel & Andress, LPA, is requesting an amendment to the Heritage Bay Planned Unit Development (PUD (Ordinance No. 03-40) to add additional development standards for the AC/R3 designated area on the Master Plan to allow townhouse units, by amending Section 2.24, to add item F and by adding Table 2A, by allowing deviations from the Land Development Code (LDC) Sections 6.06.01.B and 6.06.01.01(O) regarding standard road section and road width; by allowing a deviation from LDC Section 4.05.02.F to allow back out parking; and by allowing deviations from LDC Sections 4.05.02.J. and 4.05.03 regarding same-lot parking facilities to allow parking within easements dedicated to all residents; and by adding Exhibit A-1 to show the layout; and by adding Exhibit A-2 to reflect the area wherein the amendment is effective; and by adding any other stipulations or regulations that may result from the amendment process pertaining to the 26-acre AC/R3 designated area within the 2,562 acre Heritage Bay PUD project. The AC/R3 subject property is located in Section 23, Township 48 South, Range 26 East, Collier County, Florida. The subject 2,562 acres (the entire Heritage Bay PUD) is located on the north side of Immokalee Road (SR 846) east of Collier Boulevard (CR 951), in Sections 13, 14, 23, and 24, Township 48 South, Range 26 East, Collier County, Florida. (CTS)
- B. *This item requires that all participants be sworn in and ex parte disclosure be provided by Commission members.* SV-PL2009-2421 TAC Holdings, L.P., represented by Jeff Riggins, of Riggins Associates, is requesting a variance from Collier County Land Development Code (LDC) Section 5.06.04 F.1. which requires a minimum separation of 1,000 lineal feet between ground signs to allow a sign separation of 328 feet between two ground signs. The subject property, American Momentum Center, is located on 8625 Tamiami Trail North in Section 33, Township 48 South, Range 25 East, Collier County, Florida.
- C. Recommendation to adopt a resolution approving amendments (appropriating carry forward, transfers and supplemental revenue) to the Fiscal Year 2009-10 Adopted Budget.
- D. Recommendation to approve and authorize the Chairman to sign a resolution declaring the attached inventory list of County owned real property as surplus land in accordance with Section 125.379, Florida Statutes, for the benefit of affordable housing.
- E. Recommendation to adopt an ordinance authorizing and regulating the use of traffic infraction detectors consistent with recent passage of HB 325, which established statewide legislation regulating red light cameras, known as the Mark Wandall Traffic Safety Act and to repeal Ordinance No. 2008-22, as amended, the current Collier County Intersection Safety Ordinance.
- F. *This item is being continued to the July 27, 2010 meeting:* An Ordinance of the Board of County Commissioners of Collier County, Florida, Establishing Regulations Relating to Public Parks and Beach Access Parking Areas by Providing for a Title; Providing for a Statement of Purpose and Intent; Providing for Applicability; Providing for Limitations on Public Parks and Beach Access Parking and Implementation of this Ordinance by County Resolution; Providing for Conflict and Severability; Providing for Inclusion in the Code of Laws and Ordinances; and Providing for an Effective Date.
- G. Recommendation to adopt an Ordinance repealing and replacing Ordinance No. 08-64, the Collier County Parking, Storage and Use of Recreational Vehicle Control Ordinance, in order to relocate all applicable regulations from the Collier County Land Development Code, specifically Section 2.01.00, to the Collier County Code of Laws and Ordinances.

## 18. ADJOURN

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