

COLLIER COUNTY
Board of County Commissioners
Community Redevelopment Agency Board (CRAB)
Airport Authority



AGENDA

Board of County Commission Chambers
Collier County Government Center
3299 Tamiami Trail East, 3rd Floor
Naples FL 34112

January 24, 2012

9:00 AM

Fred W. Coyle - BCC Chairman; Commissioner, District 4
Jim Coletta - BCC Vice-Chairman; Commissioner, District 5; CRAB Chairman
Donna Fiala - BCC Commissioner, District 1; CRAB Vice-Chairman
Georgia Hiller - BCC Commissioner, District 2
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 Executive Manager to the BCC *prior* to 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 proceeding 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, the provision of certain assistance. Please contact the Collier County Facilities Management Department located at 3335 East Tamiami Trail, Suite 1, Naples, Florida, 34112-5356, (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 Richard Rogers - Unity 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.)

3. SERVICE AWARDS

A. EMPLOYEE

1. 20 Year Attendees

a. Gail Bonham, County Attorney's Office Pg. 1 - 1

b. Ronney Cox, Library Pg. 2 - 2

c. Michael Sullivan, EMS Pg. 3 - 3

d. Bobby Allen, EMS Pg. 4 - 4

2. 25 Year Attendees

a. Mark Burtchin, Road Maintenance Pg. 5 - 5

b. Steven Epright, EMS Pg. 6 - 6

c. Tracey Payne, Information Technology Pg. 7 - 7

4. PROCLAMATIONS

A. Proclamation designating January 23-29, 2012 as Bayshore Festival of the Arts week in Collier County. To be accepted by Chick Heithaus, president of the Bayshore Cultural and Performing Arts Center and Chellie Doepke, vice-president of the Bayshore Cultural and Performing Arts Center. Sponsored by Commissioner Fiala. Pg. 8 - 9

B. Proclamation designating January 23-29, 2012 as The Band of the United States Air Force Reserve Week. To be accepted by Chick Heithaus. Sponsored by Commissioner Coyle. Pg. 10 - 11

C. Proclamation designating February 2012 as K is for Kids Foundation's Bring a Book, Bring a Friend for Children's Literacy Month. To be accepted by Karen D. Clawson, Founder & Executive Director of K is for Kids Foundation and the Teen Advisory Team. Sponsored by Commissioner Coletta and Commissioner Hiller. Pg. 12 - 13

D. Proclamation designating January 27, 2012 as United Nations International Holocaust Remembrance Day. To be accepted by the Board of the Holocaust Museum and Education Center of Southwest Florida. Sponsored by Commissioner Hiller. Pg. 14 - 15

5. PRESENTATIONS

- A. Recommendation to recognize Amy Patterson, Manager- Impact Fees and Economic Development, Growth Management Division as the Supervisor of the Year for 2011. Pg. 16 - 18

6. PUBLIC PETITIONS

- A. Public Petition request from Daniel McMahon requesting that the Board restrict vehicle access on Woodland Estates Road. Pg. 19 - 21

7. BOARD OF ZONING APPEALS

Item 7 to be heard no sooner than 1:00 pm unless otherwise noted.

- 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. CUR-PL-2011-1177, SR 846 Land Trust requesting a Conditional Use Re-Review (CUR) and amending the Conditions of Approval in Resolution Number 08-290 which allows for earth mining with excavation, blasting and processing of material in a Rural Agricultural Mobile Home Overlay (A-MHO), for property located in the Rural Fringe Mixed Use District Receiving Lands, and east of Immokalee Road, approximately 2 miles north of Oil Well Road. The subject property is located within Sections 35 & 36, Township 47 South, Range 27 East; and all of Sections 1 and 2, Township 48 South, Range 27 East, less road right-of-way for County Road 846 (Immokalee Road), Collier County, Florida; and repealing Resolution Nos. 08-128 and 08-290. [Coordinator: Fred Reischl, AICP, Senior Planner] Pg. 22 - 143

8. ADVERTISED PUBLIC HEARINGS

Item 8 to be heard no sooner than 1:00 pm unless otherwise noted.

- A. *This item continued from the January 10, 2012 BCC Meeting. 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.* PUDZ-2003-AR-3608: Orangetree PUD -- An Ordinance amending Ordinance Numbers 2005-42 and 2004-73, the Orangetree PUD, to add 1,050 residential units for a total of 3,150 residential units; to add 100,000 square feet of office use and add 172,000 square feet of retail use to the existing 60,000 square feet of retail for a total of 332,000 square feet of commercial development; to revise the development standards including building height and setbacks and to add allowable residential, commercial uses and mixed uses, and to eliminate the environmental commitments, for property located in parts of Sections 11, 12, 13, 14, 22 through 27, Township 48 South, Range 27 East, Collier County, Florida consisting of 2,138.76 acres; and by providing an effective date. (Coordinator: Kay Deselem, AICP, Principal Planner) Pg. 144 - 647

9. BOARD OF COUNTY COMMISSIONERS

- A. *This item to be heard at 3:00 p.m.* Request to discuss current regulations limiting the "stretched mesh" size of marine fishing nets to two (2) inches and possible actions by Pg. 648 - 677

the Board of County Commissioners to support efforts to rescind these regulations.

- B. **Appointment of a member to the Vanderbilt Beach Beautification MSTU Advisory Committee.** Pg. 678 - 686
- C. **Appointment of a member to the Bayshore Beautification MSTU Advisory Committee.** Pg. 687 - 702
- D. **Appointment of a member to the Golden Gate Beautification MSTU Advisory Committee.** Pg. 703 - 712

10. COUNTY MANAGER'S REPORT

- A. **Recommendation to approve the required program agreements with Arthrex Manufacturing, Inc., Arthrex, Inc. and RES Collier Holdings, LLC for the Fee Payment Assistance Program, the Job Creation Investment Program and the Advanced Broadband Infrastructure Investment Program, consistent with the provisions of Chapter 49 of the Collier County Code of Laws and Ordinances and the company's approved incentive application. (Fiscal Impact: \$597,514 – Fiscal Year 2012) (Amy Patterson, Impact Fee Manager)** Pg. 713 - 818
- B. **Recommendation to review the Phase II Master Mobility Plan report, accept the report and direct the County Manager or Designee to move Recommendations into Phase III of the Master Mobility Plan. (Nick Casalanguida, Deputy Administrator, Growth Management Division/Planning & Regulation)** Pg. 819 - 846
- C. **Recommendation to award a construction contract in the amount of \$1,076,737.62 to Lodge Construction, Inc. and reserve 10% (\$107,673.76) on the purchase order for funding contingency, for a total of \$1,184,411.38 for ITB No. 10-5817 – "LASIP - Naples Manor North Canal Stormwater Improvements; Project No. 51101. (Jay Ahmad, Director, Transportation Engineering)** Pg. 847 - 852
- D. **Recommendation to award a Design Build contract in the amount of \$4,048,944 to Thomas Marine Construction, Inc. and American Consulting Engineers of Florida, Inc. for RFP No. 11-5572 - "Design Build Golden Gate Boulevard Bridge Replacements: 1) Golden Gate Canal #034026 and 2) Miller Canal #034028", Project No. 66066. (Jay Ahmad, Director, Transportation Engineering)** Pg. 853 - 1022
- E. **Recommendation to approve the third amendment to the cooperative agreement with the South Florida Water Management District, Agreement No. C-11759, regarding operation and maintenance of designated primary watercourses in Collier County, modifying the agreement terms and extending the term until September 30, 2024. (Gerald Kurtz, Principal Project Manager, Growth Management Division)** Pg. 1023 - 1087

11. COUNTY ATTORNEY'S REPORT

12. OTHER CONSTITUTIONAL OFFICERS

13. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

A. AIRPORT

1. Request Collier County Board of County Commissioners provide direction to the Airport Authority Executive Director as to whether County Commissioners should be provided a copy of Collier County Airport Security Plans. Pg. 1088 - 1089

B. COMMUNITY REDEVELOPMENT AGENCY

1. Community Redevelopment Agency FY2011 annual performance appraisal review for the Bayshore Gateway Triangle CRA Executive Director. (David Jackson, Executive Director, Bayshore Gateway Triangle CRA) Pg. 1090 - 1125
2. Recommendation to award Contract No. 11-5709 - Immokalee Downtown Stormwater Improvements to Douglas N. Higgins, Inc. in the amount of \$2,718,000 (Project Number 33130), approve all necessary budget amendments and authorize the Chairman to sign the standard Board approved contracts after legal review by the Office of the County Attorney. Pg. 1126 - 1276

14. PUBLIC COMMENTS ON GENERAL TOPICS

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. GROWTH MANAGEMENT DIVISION

1. Recommendation to approve final acceptance of the water and sewer utility facilities for Triangle Parcel, 14250 Tamiami Trail North, and to authorize the County Manager, or his designee, to release any Utilities Performance Security to the Project Engineer or the Developer's designated agent. Pg. 1277 - 1283
2. Recommendation to approve final acceptance of the water utility facility for City Gate Commerce Center, Phase 1 and to authorize the County Manager, or his designee, to release any Utilities Performance Security to the Project Engineer or the Developer's designated agent. Pg. 1284 - 1289
3. Recommendation to approve final acceptance of the water and sewer utility facilities for City Gate Commerce Center, Phase 2 and to authorize the County Manager, or his designee, to release any Utilities Performance Security to the Project Engineer or the Developer's designated agent. Pg. 1290 - 1296
4. 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 accept an alternate security in the amount of Pg. 1297 - 1306

\$1,758,578.20 from the current owner of the subdivision known as Copper Cove Preserve, and authorize the Clerk of Courts to release the previously posted securities.

- 5. Recommendation to direct the County Manager or Designee to have the County's consultant proceed with the design of a pathway connection on the north side of Immokalee Road, also known as, Alternative 1.** Pg. 1307 - 1312
- 6. Recommendation to approve a Job Creation Investment Program Agreement with Animal Specialty Center of Florida, LLC, a/k/a Animal Specialty Hospital of Florida, LLC, consistent with the provisions of the Job Creation Investment Program and the company's approved incentive application. (Fiscal Impact: \$14,666 – Fiscal Year 2012)** Pg. 1313 - 1359
- 7. Recommendation to approve a Job Creation Investment Program Agreement and an Advanced Broadband Infrastructure Investment Program Agreement with Florida Specialties LLC, consistent with the provisions of the Job Creation Investment Program and the Advanced Broadband Infrastructure Investment Program and the company's approved incentive application. (Fiscal Impact: \$18,333 - Fiscal Year 2012)** Pg. 1360 - 1402
- 8. 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 acknowledge a Corrective Dedication / Reservation for the plat of Quarry Phase 3, and to direct the Clerk of Courts to make a notation on the recorded plat making reference to the recorded Corrective Dedication / Reservation.** Pg. 1403 - 1416
- 9. Recommendation to approve a resolution directing the County Manager to revise and expand the duties of the Floodplain Management Planning Committee (FMPC) and amending Resolution No. 2006-200.** Pg. 1417 - 1427
- 10. Recommendation to approve Supplemental Joint Participation Agreement (JPA) No. 1 providing additional revenue in the amount of \$25,342 from FY 2011/2012 Federal Transit Administration Section 5311 American Recovery and Reinvestment Act (ARRA) funding.** Pg. 1428 - 1463
- 11. Recommendation to enter into three Landscape Maintenance Agreements with condominium associations to ensure that the maintenance pathway along the Naples Manor North Canal is unobstructed, by requiring periodic maintenance of hedges that will be planted for the purpose of replacing the existing landscape buffer along their southerly boundaries that will be lost during construction of improvements to the canal. The proposed improvements to the Naples Manor North Canal is one of the many "sub-projects" which together comprise the Lely Area Stormwater Improvement Project 51101 (LASIP). (Fiscal Impact \$132)** Pg. 1464 - 1485
- 12. Recommendation to approve an agreement with the Abbington Village Condominium Association providing for the conveyance of a Drainage Access and Maintenance Easement from the Association to Collier County without** Pg. 1486 - 1495

compensation. Project No. 51101 Naples Manor North Canal segment of the Lely Area Stormwater Improvement Project (Fiscal Impact \$35.50)

13. Recommendation to direct the County Manager or his designee to work with the Finance Committee, the County Attorney, and the Clerk's Office to review and possibly establish a potential process which would authorize the solicitation for competitive bid proposals from interested firms willing to both finance and construct production-ready projects. Pg. 1496 - 1499

B. COMMUNITY REDEVELOPMENT AGENCY

1. Recommendation for the Community Redevelopment Agency (CRA) to approve an Extension and First Amendment to Lease Agreement with Budget Rent A Car System, Inc., permitting them to continue operating an existing business on CRA owned property located at 1933 and 1965 Tamiami Trail. Pg. 1500 - 1536

C. PUBLIC UTILITIES DIVISION

1. Recommendation to approve Amendment No.1 to Agreement MOA100 (#12-5842) between Collier County and the Florida Department of Environmental Protection to continue to conduct Ambient Air Monitoring in Collier County. Pg. 1537 - 1544
2. Recommendation to approve License Agreement # 12-5841 with the District School Board of Collier County to allow the County to continue to locate the Ambient Air Monitoring Trailer at Laurel Oak Elementary School, and to conduct ambient air monitoring for the urban area of the county. Pg. 1545 - 1569
3. Recommendation to approve removing uncollectible accounts receivable and their respective balances from the financial records of Collier County Public Utilities Division in the amount of \$423,644.77. Pg. 1570 - 1583
4. Recommendation to approve an increase to the annual estimated not to exceed amount for contract number 11-5698 with N. Harris Computer Corporation for maintenance, licensing, and technical services, from \$140,000 to \$220,000. The increase is to include the credit card payment processing transaction costs associated with iWEB, a hosted payment system provided by Transaction Warehouse (a Harris sub-contractor) through contract number 11-5698. Pg. 1584 - 1589

D. PUBLIC SERVICES DIVISION

1. Recommendation to approve a subrecipient agreement providing for a \$35,000 State Housing Initiatives Program (SHIP) grant to the Housing Development Corporation of SW Florida, Inc. (HDC) to 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. Pg. 1590 - 1614
2. Recommendation to approve a modification to Disaster Recovery Initiative Grant Agreement #10DB-D4-09-21-01-K09 between the Florida Department of Economic Opportunity (DEO), formerly known as the Florida Department of Pg. 1615 - 1639

Community Affairs (DCA) and Collier County to change the grantor's name within the agreement, reallocate funds within the Immokalee CRA's Stormwater project and sign the associated subrecipient agreement amendments.

- 3. Recommendation to approve a resolution to authorize an upland lease application with the Board of Trustees of the Internal Improvement Land Trust Fund of the State of Florida for the Parks and Recreation Department to manage the newly constructed Isles of Capri Paddle Craft Park constructed by Rookery Bay National Estuarine Research Reserve. Pg. 1640 - 1651**
- 4. Recommendation to approve execution of a Utility Facilities Warranty Deed and Bill of Sale to convey the wastewater utilities infrastructure at the Collier County public beach facilities at Bluebill Ave. to the Collier County Water-Sewer District, at an estimated cost of \$35.50. Pg. 1652 - 1659**
- 5. Recommendation to award Contract #11-5791 to Pinellas Pool for renovation of Interactive Water Feature at Vineyards Community Park in the amount of \$206,800; approve the necessary budget amendment to provide funds and establish a 10% contingency; authorize the Chairman to execute the attached contract after review by the County Attorney's Office. Pg. 1660 - 1798**
- 6. Recommendation to approve and authorize the Chairman to sign one (1) release of lien for Affordable Housing Density Bonus agreement for a unit sold which is no longer subject to the terms of the agreement. Pg. 1799 - 1805**
- 7. Recommendation to approve and authorize the Chairman to sign one (1) satisfaction of mortgage for owner-occupied affordable housing units that repayment in full has been provided to Collier County. Pg. 1806 - 1815**
- 8. Recommendation to approve an agreement and associated forms with the Florida Department of Economic Opportunity (DEO) to accept funding for the Disaster Recovery Enhancement Funds (DREF) in the amount of \$3,335,131.91 and approve a budget amendment to allocate the funding. Pg. 1816 - 1943**
- 9. Recommendation to approve an amendment with the City of Naples for \$30,365 in Community Development Block Grant Recovery (CDBG-R) funds. Pg. 1944 - 1951**
- 10. Recommendation to approve reprogramming of Community Development Block (CDBG) Grant funds in the amount of \$810,000, and approve a Subrecipient Agreement with the Collier County Community Redevelopment Agency (CRA) of Immokalee to purchase two adjacent parcels and construct design-build the First Street Plaza located in the downtown area of Immokalee, Florida. Pg. 1952 - 1988**

E. ADMINISTRATIVE SERVICES DIVISION

- 1. Recommendation to approve the execution of a Corrective Easement to FP&L at a cost not to exceed \$19. Pg. 1989 - 1996**

2. Recommendation to approve Amendment 5 to contract 06-3939 "Northeast Regional Utility Program Management and Oversight Services" with Malcolm Pirnie, Inc., for services during Program hibernation and reactivation of the Northeast Facilities Program Projects 70899, 73156, 70902, and 75012. Pg. 1997 - 2048
3. Recommendation to approve and ratify two additions to the 2012 Fiscal Year Pay and Classification Plan made from October 1, 2011 through December 31, 2011. Pg. 2049 - 2052
4. Recommendation to approve a Donation Agreement with Ginnie Evans Poovey Kania for 10 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$3,000. Pg. 2053 - 2061
5. *This item continued from the January 10, 2012 BCC Meeting.* Recommendation to approve and authorize the Chairman to sign the Assumption Agreement from Tectrans, Inc. to Keolis Transit America, Inc. to Keolis Transit America, Inc. d/b/a Tectrans, Inc. Contract for the Collier Area Transit (CAT) Fixed Route and Paratransit Program. Pg. 2062 - 2197
6. Recommendation to award a contract to Commerce Bank NA for Letter of Intent (LOI) 10-5562 E-Payables for the automation of payments to vendors and obtain additional revenue / rebates to the County. Pg. 2198 - 2215

F. COUNTY MANAGER OPERATIONS

1. Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the Fiscal Year 2011-12 Adopted Budget. Pg. 2216 - 2218
2. Recommendation that the Board approves a prepayment of the 2007 State Infrastructure Bank Loan resulting in a interest savings of \$59,983 and approve all necessary budget amendments. Pg. 2219 - 2221
3. Recommendation to approve and authorize the County Attorney to advertise proposed amendments to the Tourist Development Tax Ordinance No. 92-60, as amended, and return to the Board for final approval. Amendments include (1) revise language relating to Category B use of funds; (2) delineate the allocation of administrative costs for tourism promotion and beach park facilities and beach improvements; (3) reallocate for a period of one year \$100,000 from Fund 193, municipal owned museums and museums owned and operated by not-for-profit organizations open to the public, to Fund 198, County-owned or operated museums to be used for a one-time payment pursuant to a Category C(2) Agreement with the Marco Island Historical Society. Pg. 2222 - 2230

G. AIRPORT AUTHORITY

1. Recommendation to approve a License Agreement with Walker International Events, Inc. at the Immokalee Airport for a two (2) day circus event. Pg. 2231 - 2238

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 U.S. Coast Guard Change of Watch on January 7, 2012. The sum of \$50 to be paid from Commissioner Fiala's travel budget. Pg. 2239 - 2241
2. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Eastern Collier Chamber of Commerce Breakfast at Roma Havana Restaurant, Immokalee, FL on January 4, 2012. \$15 to be paid from Commissioner Coletta's travel budget. Pg. 2242 - 2244
3. Commissioner Coletta requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Will be attending the Leadership Collier Foundation Alumni Box Lunch Speaker Forum at the Professional Development Center, Naples, FL on January 26, 2012. \$10 to be paid from Commissioner Coletta's travel budget. Pg. 2245 - 2248
4. Commissioner Hiller requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Pre Legislative Breakfast with Florida Senator Richter. \$25 to be paid from Commissioner Hiller's travel budget. Pg. 2249 - 2251
5. Commissioner Hiller requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attending the Cato Institute Naples Luncheon February 6, 2012. \$75 to be paid from Commissioner Hiller's travel budget. Pg. 2252 - 2257

I. MISCELLANEOUS CORRESPONDENCE

J. OTHER CONSTITUTIONAL OFFICERS

1. To obtain Board approval for disbursements for the period of December 24, 2011 through December 30, 2011 and for submission into the official records of the Board. Pg. 2258 - 2270
2. To obtain Board approval for disbursements for the period of December 31, 2011 through January 6, 2012 and for submission into the official records of the Board. Pg. 2271 - 2285
3. Recommendation to accept the investment status update report for the quarter ending December 31, 2011. Pg. 2286 - 2288
4. Pursuant to Florida Statute 318.18(13)(b) the Clerk of the Circuit Court is required to file the amount of traffic infraction surcharges collected under Florida Statute 318.18(13)(a)(1) with the Board of County Commissioners. Pg. 2289 - 2293

K. COUNTY ATTORNEY

- 1. Recommendation to approve an Agreed Order for expert fees and costs and attorney's fees for Parcels 105FEE/TCE and 106FEE/TCE, and a Stipulated Final Judgment for compensation as to Parcel Nos. 106FEE/TCE, in the combined amount of \$41,219.17 in the lawsuit styled Collier County v. Annette Pocchi, et al., Case No. 10-2682-CA (Collier Boulevard Project No. 68056) (Fiscal Impact \$28,819.17).** Pg. 2294 - 2302
- 2. Authorize the making of an Offer of Judgment to Respondent, Ariam Lopez, for Parcel No. 173SE in the amount of \$1,000 in the lawsuit styled Collier County v. Pablo Garcia, et al., Case No. 10-2683-CA (Collier Boulevard Project No. 68056) (Fiscal Impact \$300).** Pg. 2303 - 2308
- 3. Recommendation that the Board of County Commissioners authorize the law firm of Henderson Franklin Starnes & Holt, P.A. and John Potanovic, Esq. to represent Collier County in the matter entitled Donald Edwards v. Collier County, Florida; Case No. 09-6111-CA.** Pg. 2309 - 2329
- 4. Recommendation to approve the mediation settlement prior to trial in the lawsuit entitled Maureen Benes and Laddie C. Benes v. Collier County, Florida, filed in the Twentieth Judicial Circuit in and for Collier County, Florida, Case No. 11-1879-CA for the sum of \$15,000 and authorize the Chairman to execute the Settlement Agreement.** Pg. 2330 - 2336
- 5. Request for authorization to advertise and bring back for future consideration an ordinance which would establish limitations, in addition to those set forth in Chapter 538, Part II, Florida Statutes, on the sale of regulated metals (secondary metals).** Pg. 2337 - 2345
- 6. Recommendation that the Board of County Commissioners direct the Collier County Supervisor of Elections to take appropriate action with respect to the Collier County School District's Resolution 12-01, which seeks a millage referendum on the November 6, 2012 ballot for the scheduled general election.** Pg. 2346 - 2352

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. PUDZ-PL-2011-2115 Community School of Naples CFPUD. An ordinance of the Board of County Commissioners of Collier County, Florida amending Ordinance Number 2004-41, as amended, the Collier County Land Development Code, which established** Pg. 2353 - 2395

the comprehensive zoning regulations for the unincorporated area of Collier County, Florida, by amending the appropriate zoning atlas map or maps by changing the zoning classification of the herein described real property from a Community Facility (CF) zoning district to a Community Facility Planned Unit Development (CFPUD) zoning district for the project known as Community School of Naples CFPUD, located at 13275 Livingston Road in Section 12, Township 49 South, Range 25 East, Collier County, Florida consisting of 73 +/- acres subject to conditions; by providing for the repeal of Ordinance Numbers 2000-06 and 2004-33, as amended; and by providing an effective date.

- B. Recommendation to adopt an Ordinance amending the Collier County Consolidated Impact Fee Ordinance, Ordinance No. 2001-13, as amended, to incorporate a provision clarifying the imposition of Water and Sewer Impact Fees on geographic areas within the Collier County Water-Sewer District until such a time when connection to the regional water and/or sewer system is anticipated within a ten-year period as identified by the most current Public Utilities Water and Wastewater Master Plan Updates and the Annual Update and Inventory Report. Pg. 2396 - 2406
- C. Recommendation to adopt an ordinance that amends Ordinance No. 04-12, as amended, for the purpose of revising the Class 2 Certificate of Public Convenience and Necessity for post-hospital interfacility transport services. Pg. 2407 - 2413
- D. Recommendation to adopt a resolution approving amendments (appropriating carry forward, transfers and supplemental revenue) to the Fiscal Year 2011-12 Adopted Budget. Pg. 2414 - 2417
- E. Recommendation to adopt an amendment to Ordinance No. 2011-07, the Flood Damage Prevention Ordinance (FDPO) with an effective date of March 30, 2012. Pg. 2418 - 2467

18. ADJOURN

Inquiries concerning changes to the Board's Agenda should be made to the County Manager's Office at 252-8383.