

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 08, 2013

9:00 AM

Georgia Hiller - BCC Chairwoman; BCC Commissioner, District 2
Tom Henning - BCC Vice-Chairman; BCC Commissioner, District 3
Donna Fiala - BCC Commissioner, District 1; CRAB Chairman
Fred W. Coyle - BCC Commissioner, District 4
Tim Nance - BCC Commissioner, District 5

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. Pastor Michael Bannon - Crossroads Community Church of Naples**

Pg. 1 - 1

2. AGENDA AND MINUTES

- A. Approval of today's regular agenda as amended.**
- B. Approval of today's consent agenda as amended (Ex Parte Disclosure provided by Commission members for consent agenda.)**
- C. Approval of today's summary agenda as amended (Ex Parte Disclosure provided by Commission members for summary agenda.)**
- D. November 13, 2012 - BCC/Regular Meeting**
- E. Selection of Chairman and Vice-Chairman**

3. SERVICE AWARDS

4. PROCLAMATIONS

- A. Proclamation designating January 2013 as Make A Wish Month in Collier County. To be accepted by Reg Buxton, President's Council Chair, Collier County and Sandra Buxton, Co-Chair. Sponsored by Commissioner Coyle.** **Pg. 2 - 3**
- B. Proclamation congratulating Arthrex, Inc. for its recognition as a Top Job Creator at the 2012 Governor's Innovators in Business Awards Ceremony. To be accepted by representatives from Arthrex. Sponsored by Commissioner Henning.** **Pg. 4 - 5**
- C. Proclamation celebrating the 150th Anniversary of the Morrill Act, which created the University land-grant system. To be accepted by Bryan Fluech, Collier County Extension Director/Florida Sea Grant Extension Agent and Dr. Charles Vavrina, Ph.D., District Extension Director. Sponsored by the Board of County Commissioners.** **Pg. 6 - 7**
- D. Proclamation designating 2013 as "Viva Florida 500" in recognition of the 500th Anniversary of the European Discovery of Florida. To be accepted by Ron Jamro, Director of the Collier County Museums; Bridgette van den Hove Smith, Regent, Big Cypress Chapter of the Daughters of the American Revolution; and Consul-Generals of France, Spain, and the United Kingdom. Sponsored by the Board of County Commissioners.** **Pg. 8 - 9**

5. PRESENTATIONS

- A. Presentation of the Collier County Business of the Month for January 2013 to The Naples Soap Company. To be accepted by Deanna Renda, President and Patrick Renda, COO.**

Pg. 10 - 10

6. PUBLIC PETITIONS

- A. ***This item continued from the November 13, 2012 BCC Meeting.*** Public Petition request from Mr. Edward Dunphy regarding a process to reduce hauling and landfill expenses. Pg. 11 - 13
- B. Public Petition request from Thomas Graham regarding landscape plan submitted by Riverchase Shopping Center. Pg. 14 - 43
- C. Public Petition request from Patrick White regarding June 26, 2012 approval of Item 17C titled: Recommendation to consider a Resolution of the Board of Zoning Appeals of Collier County, Florida determining that a tire store with minor automotive repairs is a comparable and compatible land use to other permitted uses, and therefore, is a permitted use within the Business District designated area of the Creekside Commerce Park CPUD, as authorized in Section 4.3.A.14 of Ordinance 06-50. The subject property is located in Section 27, Township 48 South, Range 25 East, Collier County, Florida. Pg. 44 - 47

7. PUBLIC COMMENTS ON GENERAL TOPICS

8. BOARD OF ZONING APPEALS

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

9. ADVERTISED PUBLIC HEARINGS

Item 9 to be heard no sooner than 1:00 pm unless otherwise noted.

- A. Recommendation to approve the 2012 Cycle of Growth Management Plan Amendments for transmittal to the Florida Department of Economic Opportunity for review and objections, recommendations and comments (ORC) response. (Transmittal Hearing) (Companion to Agenda item 17.B., SE-PL20120002580, Gordon River Greenway Park Scrivener's Error) Pg. 48 - 79
- B. ***This item has been continued from the December 11, 2012 BCC meeting:*** Recommendation to review and adopt Proposed Amendments to the Collier County Growth Management Plan, Ordinance 89-05, as Amended, based upon the Collier County Evaluation and Appraisal Report adopted in 2011 and the Florida Department of Economic Opportunity Objections, Recommendations and Comments Report on these Amendments, and to Transmit the Amendments to the Florida Department of Economic Opportunity. Pg. 80 - 370
- C. Recommendation to approve a "small-scale" amendment to the Golden Gate Area Master Plan Element of the Growth Management Plan, Ordinance 89-05, as amended, for transmittal to the Florida Department of Economic Opportunity. (Adoption Hearing) Pg. 371 - 401

10. BOARD OF COUNTY COMMISSIONERS

- A. **Re-appointment of members to the Ochopee Fire Control District Advisory Committee.** Pg. 402 - 415
- B. **Appointment of member to the Board of Building Adjustments and Appeals.** Pg. 416 - 426
- C. **Recommendation to appoint a County Commissioner to serve on the Southwest Florida Regional Planning Council.** Pg. 427 - 429
- D. **Recommendation to adopt a Resolution terminating the Employment Agreement with the Executive Manager to the Board of County Commissioners. (This item was approved for reconsideration at the December 11, 2012 BCC Meeting.)** Pg. 430 - 443
- E. **Recommendation to discuss Item 11E from the Board's September 11, 2012 agenda regarding "Wastewater Basin Program" contracts. (This item was approved for reconsideration at the December 11, 2012 BCC Meeting.)** Pg. 444 - 532
- F. **Recommendation to consider an out-of-cycle Tourist Development Council ("TDC") Grant Application from the City of Marco Island/Hideaway Beach District for Erosion Control Structures at Hideaway Beach and if approved make a finding that the project is in the public interest and authorize all necessary budget amendments. (This item was approved for reconsideration at the December 11, 2012 BCC Meeting.)** Pg. 533 - 552
- G. ***This item to be heard at 10:30 a.m.* Recommendation to approve and authorize the Chairman of the Board of County Commissioners to sign an Interlocal Agreement relating to establishment of the Gulf Consortium to act on behalf of Collier County in the implementation of the RESTORE Act (Resources and Ecosystems Sustainability Tourist Opportunities and Revised Economics of the Gulf Coast States Act of 2012). (This item was approved for reconsideration at the December 11, 2012 BCC Meeting.)** Pg. 553 - 619
- H. ***This item to be heard at 3:00 p.m.* Appointment of member to the Collier County Planning Commission. (This item was approved for reconsideration at the December 11, 2012 BCC Meeting.)** Pg. 620 - 623
- I. **Recommendation that the Board of County Commissioners, acting as the Airport Authority, approve and authorize the Chairman to execute attached Contract #12-5885 "Design and Related Services for the Immokalee Regional Airport Runway 9-27 Rehabilitation Project" in the amount of \$761,000 with Hole Montes, Inc. (This item was approved for reconsideration at the December 11, 2012 BCC Meeting.)** Pg. 624 - 670
- J. **Recommendation that the Board of County Commissioners, acting as the Airport Authority, approve and authorize the Chairman to execute Contract #12-5885 "Design and Related Services for the Marco Island Executive Airport (MKY) Runway 17-35 Rehabilitation Project" in the amount of \$660,000 with Hole Montes, Inc. (This item was approved for reconsideration at the December 11, 2012 BCC Meeting.)** Pg. 671 - 716
- K. **Recommendation that the Board of County Commissioners, in its capacity as the governing body of the Collier County Airport Authority, indicates its intent to extend** Pg. 717 - 726

the Airport Authority Executive Director's Employment Agreement with Thomas C. Curry, fixing the end date of the first extension term as September 30, 2015, and amending the Agreement to comport with Ch. 2011-143, Florida Statutes. (This item was approved for reconsideration at the December 11, 2012 BCC Meeting.)

- L. Recommendation that the Board of County Commissioners, in its capacity as the Collier County Airport Authority, memorializes its October 23, 2012 extension of, and amendments to, the Collier County Airport Authority Executive Director's Employment Agreement, and authorizes the Chairman to execute the Extension and Amendment Agreement. (This item was approved for reconsideration at the December 11, 2012 BCC Meeting.) Pg. 727 - 735
- M. Recommendation to consider options for re-structuring the Board Office. (This item was approved for reconsideration at the December 11, 2012 BCC Meeting.) Pg. 736 - 740
- N. Recommendation to direct the Human Resources Department to develop a new staff position for the Board of County Commissioners entitled Executive Assistant in pay grade 19 with exempt status. Staff serving as an Executive Assistant are to be an at-will employee, to be hired, fired, and reporting directly and solely to individual Collier County Commissioners. Directing further that the job description of this new position be developed together with input from each current sitting Commissioner and the County Manager to integrate effectively with the reorganization of the BCC office, and to bring back to the Board for approval. (Commissioner Nance) Pg. 741 - 743
- O. *This item to be heard at 4:30 p.m.* Recommendation that there be immediate substitution of counsel in the case of Stephen J. Fletcher vs Thomas C. Curry and Thomas Vergo; that the County Attorney immediately terminate the services of the Law Firm of Richard L. Richards and Jason Goldstein in the representation of defendants Thomas C. Curry and Thomas Vergo; that the County Attorney be appointed to represent Mr. Curry and Mr. Vergo in the litigation brought against them by Mr. Stephen J. Fletcher and Fletcher Flying Services, Inc. (currently pending in Collier Circuit Court); and that a full accounting of all legal costs in this matter be presented to the Board of County Commissioners for review at the next board meeting. (Commissioner Hiller) Pg. 744 - 746
- P. Recommendation to direct the County Manager to add scheduled BCC supplementary meeting dates on the first and third Tuesdays of each month, (with appropriate calendar month breaks to coordinate with the annual BCC meeting calendar), to facilitate the timely scheduling and presentation of workshops, presentations, public meetings, and other special meeting needs as determined by the Board. Further, authorize the BCC Chair to prioritize placement of items on these dedicated supplementary meeting dates for final approval by the Board at each regular BCC meeting. (Commissioner Nance) Pg. 747 - 749
- Q. Recommendation to direct staff to present a detailed review of the current status of the Rural Land Stewardship Area (RLSA) proposed amendment package to include but not be limited to: development of data and analysis, peer review, funding of work by consultants, funding of work by County staff, fiscal impact of completion of the amendment package, economic analysis of credit and acreage relationship, specific traffic analysis, verification and study, and projected short and long range fiscal Pg. 750 - 812

impact of amendment related GMP modifications, coordination with related long range Growth Management Plans. To further determine how to proceed with the RLSA amendment package including the option to delay the amendment package indefinitely. (Commissioner Nance)

- R. Recommendation that the Board of County Commissioners declares the recent closure of Clam Pass to constitute an emergency situation, requiring dredging the pass as soon as practicable; that in furtherance of this, the Board directs the County Manager to obtain pricing information for this project from at least two prospective vendors, including any potential vendors with dredges already operating off the west coast of Florida, and that the County Manager negotiate and enter into an Agreement with the apparent low bidder, subject to ratification by the Board, preferably at the next Board meeting. (Commissioner Hiller) Pg. 813 - 814
- S. Recommendation to approve agreements for planning, permitting, and engineering services related to Clam Pass and approve associated budget amendments. (Commissioner Hiller) *(The Executive Summary and back-up materials for this item will be submitted as an Add-On Item to the agenda, subject to Board of County Commission approval.)*

11. COUNTY MANAGER'S REPORT

- A. Recommendation to award Invitation to Bid (ITB) 12-5981 Roadway Paint, Thermoplastic Markings and Raised Markers to Traffic Solution, LLC as the primary vendor and McShea Contracting LLC as the secondary vendor. (Travis Gossard, Superintendent, Road and Bridge Maintenance, GMD) Pg. 815 - 855
- B. Recommendation to review the County's progress coordinating permitting and inspection activities with the building industry and the independent fire districts (Districts) and staff's request for direction on future actions regarding the same. (Nick Casalanguida, Growth Management Division Administrator) Pg. 856 - 862
- C. Recommendation to retain from active sales various properties obtained from Avatar Properties, Inc., that are part of the Gulf American Corporation (GAC) Land Trust. (Len Price, Administrative Services Administrator) Pg. 863 - 867
- D. *This item to be heard at 11:00 a.m.* Recommendation to obtain Board direction regarding the proposal received from the stakeholders group to amend the current Isles of Capri Fire District MSTU and authorize the advisory board to fully research the state of fire service in the district. (Len Price, Administrative Services Administrator) Pg. 868 - 875
- E. Recommendation to award RFP#12-5914R "Outsourcing of County Marinas" with an anticipated revenue of four (4) percent of gross sales to Paradise Property Management, Inc. for a period of ten (10) years beginning not later than February 1, 2013. (Barry Williams, Parks and Recreation Director) Pg. 876 - 952

12. COUNTY ATTORNEY'S REPORT

- A. **12:00 P.M. Time Certain Notice of Closed Session.** Notice is hereby given that, pursuant to Section 286.011(8), Fla. Stat., the County Attorney desires advice from the Board of County Commissioners in closed attorney-client session on TUESDAY, JANUARY 8, 2013. The session will be held at a time certain of 12:00 p.m., in the Commission's Office Conference Room, 3rd Floor, W. Harmon Turner Administration Building F, Collier County Government Center, 3299 East Tamiami Trail, Naples, Florida, 34112. In addition to Board members, County Manager Leo Ochs, and County Attorney Jeffrey Klatzkow will be in attendance. The Board in closed executive session will discuss: Strategy session related to settlement negotiations and litigation expenditures in the pending cases of: Jerry Blocker, et al. v. Collier County, Case No. 08-9355-CA, and Collier County v. Jerry Blocker, et al., Case No. 09-1281-CA, in the Circuit Court of the Twentieth Judicial Circuit, in and for Collier County, Florida. Pg. 953 - 954
- B. **1:00 P.M. Time Certain Return from Closed Session.** For the Board of County Commissioners to provide direction to the County Attorney regarding settlement negotiations and litigation expenditures in the pending cases of: Jerry Blocker, et al. v. Collier County, Case No. 08-9355-CA, and Collier County v. Jerry Blocker, et al., Case No. 09-1281-CA, in the Circuit Court of the Twentieth Judicial Circuit, in and for Collier County, Florida. Pg. 955 - 955
- C. **12:00 P.M. Time Certain Notice of Closed Session.** Notice is hereby given that, pursuant to Section 286.011(8), Fla. Stat., the County Attorney desires advice from the Board of County Commissioners in closed attorney-client session on TUESDAY, JANUARY 8, 2013. The session will be held at a time certain of 12:00 noon, in the Commission's Office Conference Room, 3rd Floor, W. Harmon Turner Administration Building F, Collier County Government Center, 3299 East Tamiami Trail, Naples, Florida, 34112. In addition to Board members, County Manager Leo Ochs, and County Attorney Jeffrey Klatzkow will be in attendance. The Board in closed executive session will discuss: Strategy session related to settlement negotiations and litigation expenditures in the pending cases of: Francis D. Hussey, Jr., et al. v. Collier County, et al., Second District Court of Appeal Case No. 2D11-1224; and Sean Hussey, et al. v. Collier County, et al., Second District Court of Appeal Case No. 2D11-1223. Pg. 956 - 956
- D. **1:00 P.M. Time Certain Return from Closed Session.** For the Board of County Commissioners to provide direction to the County Attorney regarding settlement negotiations and litigation expenditures in the pending cases of: Francis D. Hussey, Jr., et al. v. Collier County, et al., Second District Court of Appeal Case No. 2D11-1224; and Sean Hussey, et al. v. Collier County, et al., Second District Court of Appeal Case No. 2D11-1223. Pg. 957 - 957

13. OTHER CONSTITUTIONAL OFFICERS

- A. *This item to be heard at 2:00 p.m.* Presentation by the Clerk of the Circuit Court regarding audit 2012-3 Immokalee Regional Airport Dirt. Pg. 958 - 959
- B. *This item to be heard immediately following Item 13A.* Request by the Clerk for additional funding for pay plan adjustments and COLA increases consistent with the Pg. 960 - 961

Board of County Commissioners Pay Plan.

14. AIRPORT AUTHORITY AND/OR COMMUNITY REDEVELOPMENT AGENCY

A. AIRPORT

- 1. Recommendation that the Board of County Commissioners, acting in its capacity as the Collier County Airport Authority, approve the attached Second Amendment to the Long-Term Ground Lease and Sub-Lease Agreement with Turbo Services, Inc.** Pg. 962 - 986

B. COMMUNITY REDEVELOPMENT AGENCY

- 1. Recommendation that the Board of County Commissioners, Acting as the Collier County Community Redevelopment Agency (CRA), elect a Vice Chairman to fill the incomplete term of the vacated office.** Pg. 987 - 1002
- 2. Recommendation that the Collier County Board of County Commissioners (BCC) acting as the Community Redevelopment Agency (CRA) to approve the after-the-fact submittal of the attached Florida Department Of Transportation (FDOT) Highway Beautification Council grant application to Immokalee CRA/MSTU seeking grant funding in the amount of \$100,000 to support landscaping and irrigation improvements associated with the Immokalee Main Street Improvements project in the Immokalee Central Business District.** Pg. 1003 - 1080

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 grant final approval of the roadway (public) and drainage improvements, excepting street lighting, for that portion of Veterans Memorial Boulevard from Livingston Road eastward to Strand Boulevard, with the roadway and drainage improvements being maintained by Collier County and authorizing the release of the maintenance security.** Pg. 1081 - 1097
- 2. Recommendation to accept a Speed Limit Study Report and adopt a Resolution authorizing speed limit revisions within the Pine Woods Community from 30 mph to 25 mph at a cost of approximately \$600.** Pg. 1098 - 1113
- 3. 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 an extension for completion of subdivision improvements associated with the Royal Palm Golf Estates Replat #3 (AR-6774) subdivision pursuant to Section 10.02.05 B.11 of the Collier** Pg. 1114 - 1121

County Land Development Code.

- 4. Recommendation to adopt the 2013 schedule for submittals to amend the Collier County Growth Management Plan (GMP), as aligned with the Florida Statutes.** Pg. 1122 - 1128
- 5. This item requires that ex parte disclosure be provided by Commission members. Should a hearing be held on this item, all participants are required to be sworn in. Recommendation to approve for recording the final plat of Lantana, (PL20120001529), approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security.** Pg. 1129 - 1148
- 6. Recommendation to reject all bids for Invitation to Bid (ITB) #12-5979 for Intelligent Transportation System (ITS) Components due to noncompetitive bidding and authorize the County Manager or his designee to issue a modified ITB.** Pg. 1149 - 1159
- 7. Recommendation to authorize a reimbursement in the amount of \$7,410.32 to Florida Power and Light for Utility Relocation and the approval of a Utility Relocation Agreement between Collier County and Florida Power and Light for "Accelerated Bridge Construction Projects: White Boulevard Bridge Replacement (#034021)," Project No. 66066.** Pg. 1160 - 1167
- 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 approve for recording the final plat of Quarry Phase 5 (PL20120001514), approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security.** Pg. 1168 - 1177
- 9. Recommendation to grant final approval of the private roadway and drainage improvements for the final plats of Valencia Lakes - Phase 1A (FP00-53), Valencia Lakes - 2A, (AR-992) and Valencia Lakes - Phase 3A (AR-1415) with the roadway and drainage improvements being privately maintained and authorizing the release of the maintenance securities and acceptance of the plat dedications.** Pg. 1178 - 1206
- 10. Recommendation to approve final acceptance of the water and sewer utility facilities for The Quarry - Entry Road (AR-5360), Entry Road Phase 2 (AR-5360), Phase 1-1 (8958), and Phase 1-2 (AR-9541) and to release the Final Obligation Bond in the total amount of \$4,000 to the Project Engineer or the Developers Designated Agent.** Pg. 1207 - 1228
- 11. Recommendation to approve the release of lien in the amount of \$48,362.47 for payment of \$562.47, in the Code Enforcement Action entitled Board of County Commissioners vs. US Bank National Association as Trustee for the Benefit of Harborview 2005-16 Trust Fund, Code Enforcement Case Number CEP20110014961, relating to property located at 378 Egret Avenue, Collier County, Florida.** Pg. 1229 - 1232

12. Recommendation to approve the release of lien in the amount of \$124,483.15 for payment of \$50,483.15, in the Code Enforcement Action entitled Board of County Commissioners vs. Tricia Jenks, Code Enforcement Case Number CESD20090001470, relating to property located at 830 3rd Street NW, Collier County, Florida. Pg. 1233 - 1236
13. Recommendation to increase the annual expenditures for countywide Bid No. 10-5507 for the purpose of "Storm Drain Cleaning, Documentation & Repairs" to Shenandoah General Construction Company for an estimated annual expenditure of \$250,000. Pg. 1237 - 1240
14. Recommendation to approve a refund of inspection fees requested by CH2MHILL, totaling \$96,854.53, due to the cancellation of the Ave Maria Phase Four (AR-10816) project. Pg. 1241 - 1275
15. Recommendation to adopt a resolution superseding Resolution 2011-182 establishing the Collier County Growth Management Division/Planning and Regulation Fee Schedule for development-related review and processing fees pursuant to Section 2-11 of the Collier County Administrative Code. Pg. 1276 - 1300
16. 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 for recording the final plat of Sabal Bay, (PL20120001474) approval of the standard form Construction and Maintenance Agreement and approval of the amount of the performance security. Pg. 1301 - 1344

B. COMMUNITY REDEVELOPMENT AGENCY

C. PUBLIC UTILITIES DIVISION

1. Recommendation to award Agreement # 12-5950 to Southwest Direct, Inc., to outsource the printing and mailing of Collier County Water-Sewer District utility bills. Pg. 1345 - 1363
2. Recommendation to approve a work order in the amount of \$405,000 to Haskins, Inc., for construction tasks set forth in Request for Quotation 08-5011-75, Irrigation Quality Water Sites Priority Group #3. Pg. 1364 - 1394

D. PUBLIC SERVICES DIVISION

1. Recommendation to approve an amendment to the Community Development Block Grant Subrecipient Agreement between Collier County and the Collier County Community Redevelopment Agency (CRA) Immokalee by extending the time of performance, adding a provision requiring compliance with the FY 2010 HUD Grant, 24 CFR 570, and Chapter 119, Florida Statutes, and modifying Exhibit A, Scope of Services to be consistent with the Citizen Participation Plan. (There is no Fiscal Impact associated with this item.) Pg. 1395 - 1432

2. Recommendation to approve seven (7) satisfactions of mortgage in the amount of \$74,614.01 of owner occupied dwelling units that have satisfied the terms of their affordability period. Pg. 1433 - 1477
3. Recommendation to reject all bids for Invitation to Bid (ITB) #12-5918 Boat Ramp Repair for the Port of the Islands Marina and re-solicit bids for this project. Pg. 1478 - 1480
4. This item is continued from the December 11, 2012 BCC Meeting. Recommendation to approve an amendment to the Developer Agreement with Habitat for Humanity of Collier County, Inc. for the Neighborhood Stabilization Program 3 (NSP3) to reflect updates to the US Census Tracts. (This item does not propose to alter the geographic boundaries of Board approved target areas.) Pg. 1481 - 1492
5. Recommendation to provide approval for the electronic submittal of the Fiscal Year 2013 Continuum of Care (CoC) Grant application, on behalf of Catholic Charities, in the amount of \$99,662 to the U.S. Department of Housing and Urban Development (HUD) for CoC Homeless Management Information System (HMIS) program that will assist and benefit the homeless population in Collier County. Pg. 1493 - 1526

E. ADMINISTRATIVE SERVICES DIVISION

1. Recommendation to authorize the purchase of NetApp hardware/software maintenance agreements from Terremark Advanced Data Services Division for the County's NetApp hardware/software in the amount of \$132,693 utilizing Florida State Contract 250-000-09-1. Pg. 1527 - 1536
2. Recommendation to approve Amendment #1 to Agreement No. 09-5254, authorizing an increase to the estimated annual expenditure for grounds maintenance of Collier County Government Facilities to \$750,000. Pg. 1537 - 1557
3. Recommendation to increase the estimated annual expenditures to the amount of \$850,000 for Contract # 09-5187, "On-Call Mechanical Contractor." Pg. 1558 - 1585
4. Recommendation to approve a Memorandum of Understanding between Collier County and Civil Air Patrol (CAP) in support of Emergency Management activities related to natural and manmade hazards emergency response. Pg. 1586 - 1604
5. Recommendation to authorize the Chairperson to sign contract amendments to increase the estimated annual expenditures under Agreement #10-5373, "Energy Management Services," to \$750,000, to allow for projected countywide expenditures. Pg. 1605 - 1636
6. Recommendation to approve the submittal of a Volunteer Fire Assistance Grant Application to purchase Class A Foam for the Isles of Capri Fire Rescue District requesting \$1,260 in grant funds and requiring a local match of \$1,260. Pg. 1637 - 1644
7. Recommendation to authorize the purchase of Computer replacements up to Pg. 1645 -

	\$200,000 utilizing National IPA Contract #083052-01.	1652
8.	Recommendation to authorize the purchase of new Data Domain (EMC) hardware/software from CDWG for the County's data backup systems in the amount of \$86,754 utilizing Florida State Contract 250-000-09-1.	Pg. 1653 - 1671
9.	Recommendation to approve Amendment # 1 to Contract No. 07-4180 "Gasoline & Diesel Fuel" with Evans Energy Partners, LLC, d/b/a Evans Oil Company, authorizing a change in payment terms to "net immediate."	Pg. 1672 - 1714
10.	Recommendation to accept reports and ratify staff-approved change orders and changes to work orders.	Pg. 1715 - 1742
11.	Recommendation to authorize the Chairperson to execute the Public Assistance Subgrant Agreement for Tropical Storm Debby.	Pg. 1743 - 1794
12.	Recommendation to approve a purchase order for the acquisition of four ambulance modifications totaling \$586,000, consistent with the Board's FY13 budget.	Pg. 1795 - 2028
F.	COUNTY MANAGER OPERATIONS	
1.	Recommendation to adopt a resolution approving amendments (appropriating grants, donations, contributions or insurance proceeds) to the Fiscal Year 2012-13 Adopted Budget.	Pg. 2029 - 2032
G.	AIRPORT AUTHORITY	
1.	Recommendation to approve a Commercial Aviation Operations License Agreement with History Flight Inc., for limited commercial aviation operations at the Marco Island Executive Airport.	Pg. 2033 - 2038
2.	Recommendation that the Board of County Commissioners, acting as the Airport Authority, approves the attached revised t-hangar standard lease agreement for the Everglades Airpark, Immokalee Regional Airport and Marco Island Executive Airport.	Pg. 2039 - 2047
3.	Recommendation that the Board of County Commissioners, acting as the Airport Authority, adopts the attached Resolution approving the proposed rate schedules for the Everglades Airpark, Immokalee Regional Airport and Marco Island Executive Airport for 2013.	Pg. 2048 - 2063
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 Service Corps of Retired Executives (SCORE) Naples Annual Program Kickoff and Luncheon on December 3, 2012. The sum of \$25 to be paid from Commissioner Fiala's travel budget.	Pg. 2064 - 2067

2. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Arlington of Naples Annual Christmas Party on December 11, 2012. The sum of \$50 to be paid from Commissioner Fiala's travel budget. Pg. 2068 - 2069
3. Commissioner Fiala requests Board approval for reimbursement regarding attendance at a function serving a Valid Public Purpose. Attended the Christmas Island Style Silver Anniversary Celebration on November 18, 2012. The sum of \$65 to be paid from Commissioner Fiala's travel budget. Pg. 2070 - 2073

I. MISCELLANEOUS CORRESPONDENCE

1. Miscellaneous correspondence to file with action as directed. Document(s) have been routed to all Commissioners and are available for review in the BCC Office until approval. Pg. 2074 - 2075
2. Advisory Board minutes and agendas to file with action as directed. Document(s) have been routed to all Commissioners and are available for review in the BCC Office until approval. Pg. 2076 - 2078

J. OTHER CONSTITUTIONAL OFFICERS

1. To obtain Board approval for disbursements for the period of November 24, 2012 through November 30, 2012 and for submission into the official records of the Board. Pg. 2079 - 2093
2. To obtain Board approval for disbursements for the period of December 1, 2012 through December 7, 2012 and for submission into the official records of the Board. Pg. 2094 - 2110
3. To obtain Board approval for disbursements for the period of December 8, 2012 through December 14, 2012 and for submission into the official records of the Board. Pg. 2111 - 2126
4. To obtain Board approval for disbursements for the period of December 15, 2012 through December 21, 2012 and for submission into the official records of the Board. Pg. 2127 - 2143

K. COUNTY ATTORNEY

1. Recommendation to authorize the County Attorney to file a lawsuit on behalf of the Collier County Board of County Commissioners against Mary Munguia and Joshua E. Crump in the County Court of the Twentieth Judicial Circuit in and for Collier County, Florida, to recover damages incurred by the County for the repair of a light pole in the amount of \$10,408.19, plus costs of litigation. Pg. 2144 - 2145
2. Recommendation to approve Amendment to Agreement for Legal Services relating to Retention Agreement Allen, Norton & Blue, P.A. extending the expiration date to February 26, 2016. There is no new fiscal impact associated with this Amendment. Pg. 2146 - 2167

3. **Recommendation to accept a Right-of-Way and Utility Easement from Thomas Sbrocco and Carmen Sbrocco, husband and wife, as part of the Mediated Settlement Agreement in the lawsuit entitled Sbrocco v. Collier County v. Agnoli Barber & Brundage (ABB), filed in the Twentieth Judicial Circuit in and for Collier County, FL (Case No. 12-CA-2707) which settlement includes a confidential settlement agreement between the Plaintiff, Thomas Sbrocco, and the Third Party Defendant, ABB, and authorize the Chairman to execute the attached Settlement Agreement. Total fiscal impact is approximately \$8,000.** Pg. 2168 - 2183

17. SUMMARY AGENDA

This section is for advertised public hearings and must meet the following criteria: 1) A recommendation for approval from staff; 2) Unanimous recommendation for approval by the Collier County Planning Commission or other authorizing agencies of all members present and voting; 3) No written or oral objections to the item received by staff, the Collier County Planning Commission, other authorizing agencies or the Board, prior to the commencement of the BCC meeting on which the items are scheduled to be heard; and 4) No individuals are registered to speak in opposition to the item. For those items which are quasi-judicial in nature, all participants must be sworn in.

- A. **This item requires that ex parte disclosure be provided by Commission members. Should a hearing be held on this item, all participants are required to be sworn in. Recommendation to correct a scrivener's error found in the legal description vacating a portion of Railroad Street in Immokalee, Florida, being a part of Resolution No. 84-166, recorded in Official Record Book 1099, Page 1655 of the Public Records of Collier County, Florida, located in Section 3, Township 47 South, Range 29 East, Collier County, Florida.** Pg. 2184 - 2213
- B. **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 a scrivener's error, SE-PL20120002580, amending Ordinance Number 11-25, which rezoned the Gordon River Greenway Park to the Public Use (P) zoning district, to make a Scrivener's Error correction that the public park is for a passive park. The property is located in Sections 27 and 34, Township 48 South, Range 25 East, Collier County, Florida. (Companion to Agenda item 9.A. PL20120000371/CP-2012-1, GMPA-Gordon River Greenway Park)** Pg. 2214 - 2263
- C. **Recommendation to adopt an ordinance establishing prohibitions to the possession, provision, sale, or distribution of illicit synthetic drugs in Collier County.** Pg. 2264 - 2287

18. ADJOURN

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