

MINUTES OF THE COLLIER COUNTY
DEVELOPMENT SERVICES ADVISORY COMMITTEE MEETING

Naples, Florida, March 2, 2022

LET IT BE REMEMBERED, the Collier County Development Services Advisory Committee, in and for the County of Collier, having conducted business herein, met on this date at 3 P.M. in REGULAR SESSION at the Collier County Growth Management Department Building, Conference Room #609/610, 2800 Horseshoe Drive North, Naples, Florida, with the following members present:

Chairman: William J. Varian
Vice Chairman: Blair Foley (excused)
David Dunnavant
James E. Boughton
Clay Brooker
Chris Mitchell
Robert Mulhere
Mario Valle
Norman Gentry (excused)
Marco Espinar
Laura Spurgeon-DeJohn
Jeremy Sterk
Jeff Curl
John English
Mark McLean (excused)

ALSO PRESENT: Jamie French, Deputy Department Head, GMD
Mike Bosi, Director, Planning & Zoning
Michael Ossorio, Director, Code Enforcement
Jay Ahmad, Director, Transportation Planning
Brett Rosenblum, Principal Project Manager, Development Review
Eric Johnson, Zoning Planning Manager
John "Jake" Harney, Habitat for Humanity
Jackie Keay, Collier County School Board candidate
Jason Regula, Manager, Technical Systems Operations
Rick LoCastro, County Commissioner, District 1
Patricia Mill, Operations Analyst/Staff Liaison

Any persons in need of the verbatim record of the meeting may request a copy of the audio recording from the Collier County Growth Management Department.

1. Call to Order - Chairman

Chairman Varian called the meeting to order at 3:02 p.m. A quorum consisting of 11 members was convened. (A 12th member arrived later.)

2. Approval of Agenda

Mr. Curl moved to approve the agenda. Second by Mr. Valle. Carried unanimously, 11-0.

3. Approval of Minutes

Chairman Varian said that on page 6, 5H, it could be misconstrued that Mike Bosi got a promotion, when it was Eric Johnson. The pronoun needs to be clarified by adding Eric Johnson's name.

a. DSAC Meeting – Feb. 2, 2022

Mr. Brooker moved to approve the Feb. 2, 2022, meeting minutes, with a clarification on page 6 to show that it was Eric Johnson who received a promotion. Second by Mr. Curl. Carried unanimously, 11-0.

b. DSAC-LDR Oct. 19, 2021

Mr. Curl moved to approve the Oct. 19, 2021, DSAC-LDR Subcommittee meeting minutes. Second by Mr. Brooker. Carried unanimously, 2-0 (subcommittee members in attendance).

4. Public Speakers

John Harney introduced himself as a member of AHAC (Affordable-Housing Advisory Committee), the AHAC Trust Fund Subcommittee, a Habitat for Humanity advocate.

He said houses are really expensive now. They've become so expensive here that the median house price of \$550,000 is more than the average real estate agent in the county can buy. This has become not only a low-income, but a very big moderate-income issue: providing more units of housing.

The model that we've used over the years, four houses per acre, caused a couple of problems. We've run out of land and the land cost is so high we can't do that anymore. These four things that Laura (Spurgeon-DeJohn) has for you today are about increasing density and putting rules around it so we can standardize when working with the developers on what those rules are so they can understand them and see where they can make a profit on them.

This was all developed with the idea that all these changes can increase the interest of a developer in coming to Collier County. It's really important for us to do that because the County doesn't want to get involved in owning affordable housing. I don't think that's a good idea. And in addition, the County doesn't want to be involved in managing them. This plan allows a developer to come in, get a property, build it and make money on it and want to be here.

It's taken about two years to get here and it's very well defined at this point. It's been through a lot of evolution and it's really a good plan. We're hoping that you can advance this today. Habitat has kind of been involved as a consultant along the way, but this is really not a plan for Habitat. This is a plan for the County and other developers. Habitat builds about 100 houses a year. That's never going to solve the problem here. The need is more like 2,000 new residences in the county per year, most of them apartments, so we're involved, but we're not going to solve this problem. It's going to have to be done primarily by new blood coming into the County. People are building regionally and nationally who will be interested in coming here to build higher density, multiple-family dwellings.

There's a big tie in here between major streets and CAT and we feel that this plan very much uses the existing transportation system and what can be tailored to work around these buildings. The whole idea here is to cut traffic, cut use of the roads, cut costs and make it less expensive for everybody by putting these residences near where people are working. Thank you for your time.

Ms. Spurgeon-DeJohn said Mr. Harney is correct. He's done a good job of speaking about the need to address the County's affordable-housing issues. What he's describing is a package of Land-Development Code amendments and Growth Management Plan amendments that are working their way through review through the Growth Management Department. The DSAC subcommittee has had the chance to look at the LDC amendments twice and has pretty much endorsed amendments related to new initiatives that help promote more options to develop with increased density and have more affordable-housing developed in Collier County.

It's not on the agenda today and will be coming forward to the full DSAC next month. The comments are on point. They're probably best directed to the discussion on those items next month.

Mr. Mulhere asked if there's any relief with transportation concurrency. Because we can do all we want, but we can't go forward if we trigger concurrency. I think there are some ways to either reduce it, especially if they're located close to transit, and there may be some connection in reducing concurrency requirements for affordable units.

Mr. Curl said what he recalled from that subcommittee meeting was a move to allow relief from them being on a major frontage road. He took issue with that because they wouldn't have access to CAT. The second was that they either resided or worked within Collier County. He also took issue with that. If our tax dollars are going toward that, they need to live and work here, which is exactly what he just said.

Mr. Brooker said the bottom line is that the subcommittee has seen it twice, eight or nine months apart, so there was some confusion during the subcommittee meeting because we couldn't remember what we had seen the first time and the amendments were not proposed the second time in red-line format, so they couldn't remember what they'd seen before versus the second time. But the subcommittee did take action and was told that it would be coming before the full DSAC in the future, which is next month.

Public Speaker No. 2:

Jackie Keay introduced herself as a District 5 School Board candidate.

She grew up in Naples and is running for the school board because growing up in a community and living in poverty in Gordon River meant making it out was moving to Naples Manor, which wasn't necessarily any better. She understands the impact that food insecurity, abuse, home displacement and homelessness would have because you're moving from place to place and counting on everyone else's grace to give you a place to live. She understands how it impacts students, how it affects not only their education, but their sense of security.

She read a recent article online that said that since February 2021, rent for a one-bedroom apartment rose by 67%. Some rentals have increased by upwards of \$2,000 a month. The lack of attainable housing and the prospect of facing homelessness is exacerbating the stress students and educators are facing in our community. For many, even moving to Fort Myers or farther north is not an option because they cannot afford to move, or the rent also is increasing in those communities. We have displaced families with children living with friends, families living in their cars, tents and even state parks. This unprecedented economic development and social issue will lead to an increase in mental-health problems, food insecurities, academic decline, abuse and behavioral problems, just to name a few.

In a report on housing and economic outcomes, Veronica Gaitán contends that due to homelessness, students are less likely to demonstrate academic proficiency across all subject areas in exams. A recent analysis shows that Florida teachers can't afford basic housing on a base salary level in all 67 school districts in Florida, and nearly all teachers paid more than one-third of their monthly income on housing. Any amount over 30%, which is

actually closer to 50%, but they were being conservative, any amount over 30% does not leave enough money for basic necessities or food.

She spoke to someone the other day who said that for them, it's a matter of "Do I buy groceries to feed my children, or do I pay the rent? Otherwise, we're going to be homeless." It is a systemic problem, so if it's systemic, we should all be working together and bringing our resources to the table, as well as solutions. She's optimistic and doesn't believe there's such a thing as an unsolvable problem. Every problem has multiple solutions. It's just a matter of finding a solution that works best for that situation. She's hopeful that as long as we all work together and have the same mindset or mission that we can solve this. It is an economic development problem if we don't keep our working class in the community and we cannot survive.

5. Staff Announcements/Updates

a. Development Review Division – [Brett Rosenblum]

Mr. Rosenblum said Jaime Cook asked him to discuss several items:

- **Pre-application meetings:** We're still getting a lot of pre-app meeting requests with no conceptual plan provided. Staff understands that when the requests come in, they may not have one, but it would help staff provide more project-specific information if there's a conceptual plan provided prior to that meeting. That would help them to provide better information to help you all.
- **Right-of-Way Handbook:** Staff is in the early stages of updating the Right-of-Way Handbook. They're getting together internally and discussing different things and doing some reformatting. At some point, we'll get together and present it to everyone, the DSAC-LDR Subcommittee and other departments. Right now, it's just Development Review doing some cleanup.
- **Vacation applications:** This came up through Trinity Scott's group. Development Review staff has been told that Transportation and Stormwater is not going to support any right-of-way vacations unless there is a good justification for the vacation. They won't vacate a right-of-way without the County receiving something in return, some sort of reciprocal or replacement easement.

Mr. French explained that what's occurring is that the County gets an application where there's an easement that exists and the applicant or the landowner wants the County to vacate the easement, but offers nothing in exchange. You guys don't have any plans for this now, not to say you might have it in the future, but it's more beneficial to our project that you vacate this and in return, we might be able to make some other accommodations.

The issue really is that they don't build land anymore. So, we may not be where you are, as the developer, when it comes to future-use planning for both stormwater, right-of-way and utilities. So, to haphazardly move forward and vacate those easements that existed for a reason without having some sort of plan in place, or at least accommodations made available to the County, the development or the community in future years to be able to accommodate utilities or stormwater. Just because it's not developed now, or we don't have an asset or utility in the ground, doesn't necessarily mean that we may not 20 years from now.

What we found in some neighborhoods where we had vacated an easement, perhaps that easement was acquired through condemnation, perhaps we just purchased it and because of the institutional knowledge that we're continuing to lose, it's hard to go back and do that level of research. For us to go back to the Board of County Commissioners and make a recommendation that we just vacate the easement, we don't necessarily know that No. 1, that it's the right thing to do or No. 2, that it's fiduciarily responsible to just vacate that land, either at no cost or a limited cost without understanding what impact it might have for the County in the future. Does that make sense?

Mr. Brooker said that if it were condemned, there would be an Order of Taking in the title and it should be, if they condemned it according to proper procedure. It might be so far back in time that we can't find it anymore in the public records. But an Order of Taking should be in the chain of title, so the County can determine whether that is the method by which they obtained the right-of-way.

Mr. French agreed that the information should be there and he stressed the word "should." It's not always there and it requires a great deal of research. He wasn't saying that the County shouldn't be doing its job, but we don't ... Under our County Manager now and because [Deputy County Manager] Amy Patterson comes from the planning perspective, the County Manager's Office is now looking at things using a much different approach than they have in the past on how these things work together.

So, whether it's utilities, transportation, stormwater, parks and recreation or conservation lands, there has to be some consideration and some communication that exists between the entire agency to make sure that this land, if we get to a place where we are vacating an easement, it's really the right thing to do, and that there are no plans for this land, whatsoever. Unfortunately, builders are able to move much faster than the County can because they're project intensive and are only looking at specific projects, while County staff is looking at an entire County from a planning perspective.

Mr. Mitchell asked if this pertains only to easements in favor of the County.

Mr. French said this pertains to all easements. County Attorney Jeff Klatzkow has a very strong opinion. He doesn't think we should be giving up any land without knowing what the plan is for that land.

Mr. Mitchell said if it's in favor of the County, what does it matter? He said he asked because it's more typical in the City of Naples rather than the County that a lot of plats were recorded with easements in the rear yard for utilities that are not used in a completely developed area. So, there's an easement that's just by policy and he's hearing that Jeff Klatzkow would say you cannot, when it's a private easement? It's on a plat, but it's to the dry utility.

Mr. French said it's not a hard "no," but it's "no" going into it until we can fully understand, with a good rationale, what is the reason we would consider it. Years ago, we talked about how to better coordinate the process, have better tracking and understand how this should really be happening. We put together a really good process that worked for everybody, but now we're at a point where we're having folks come in where they've built something in the easement and they're saying, "Just vacate it." The County has stormwater or utilities that are planned to go through here. But they say they've already put a house, garage or pavement there.

Mr. Mitchell said he understood. But what he's experienced is that when you put absolutes in there, it becomes very difficult in certain situations. What he's also seen is that some of the LDC changes over the years have been to the negative and not the positive, so the County shouldn't create a situation where it has to have a deviation or variance for a vacation every time. Don't make the situation more difficult in anticipation of creating a better environment in the future. Sometimes they call it unintended consequences. Having dealt with a couple of projects where we had this issue, it's tough to navigate, especially on fully developed projects that have a partial redevelopment. And if you've got easements and you have drainage easements that aren't being utilized and you have a buffer requirement, it gets complex.

Mr. French said that if you replace those, or if you relocated those somewhere else, and this is really just arbitrary or it's not needed, then that's fine. We're not talking about policy, we're talking about practice. We're not looking, as far as I know, but there are no LDC amendments under way, and if there were, they would come to you. This is simply a matter of practice, that we have to stick to code. He

recognizes there's a great deal of discretion that can be applied at the start to try to coordinate or put that argument together. Let's still have the conversation, but understand that the habit needs to be more toward the negative because what we found is that to go back in once it's vacated, the County gives up all rights to it and we could have community flooding, we could have a pathway, we could have ingress-egress, we very well could have a road going through there in the future or a utility that is needed.

Mr. Rosenblum said Ms. Cook wanted him to mention conservation easements. Moving forward, we're going to change the process. The County will record the conservation easements and then send a receipt to get reimbursed, similar to what the County does with utility conveyance documents.

[Mr. Sterk joined the meeting at 3:27 p.m.]

Mr. Mulhere asked Mr. Rosenblum about recording the conservation easements with the county versus the state.

Mr. Rosenblum said County conservation easements are sent to the County Clerk.

Mr. Curl said speaking of the Right-of-Way Handbook, Brett, are there still vacancies in your department, position vacancies?

Mr. Rosenblum said there were none in his group. They just made an offer to fill an environmental specialist position.

Mr. Curl said where he's headed with his question is that he sees the review timelines being pushed further and further away, so he was wondering how the priority was given to redoing the Right-of-Way Handbook. Unless he missed something that is absolute, they need to get this done. He understands the department is doing more with less.

Mr. Rosenblum said they're just getting together every few weeks to work on it. There was no deadline or staff member assigned to it.

Mr. French said employees are using their spare time and barely have time to work on it. There is some cleanup and because it requires localized knowledge, they cannot contract it out and need to get it done.

b. Code Enforcement Division – [Eric Short, North Naples District Supervisor]

Mr. Short presented the "*Code Enforcement Division Report, Jan. 22-Feb. 21, 2022*"

Mr. Short noted that they had the report before them. As much as we're doing reactive cases and responding to complaints, we're also keeping up with a proactive approach for common violations and nuisance complaints. Vacation rentals is one thing they're keeping an eye on, especially in the North Naples District and the Naples Park area. There's an April 3 deadline approaching for voluntary registration for vacation rentals and they're trying to keep up with that, while also keeping up with the enforcement that will follow.

Mr. Mitchell noted he wasn't at the last meeting, but noticed there were comments about silt fences and illegal culverts in the minutes. With the proliferation of development, single-family homes, and some of commercial projects, what have we been doing about driveway connections? He believes his neighbor redid his driveway without a permit and was doing work in the right-of-way and it wasn't really a maintenance of traffic issue, or they didn't do a very good job. So, does that become a Code Enforcement issue if they don't obtain that permit? How is Code Enforcement tracking that?

It seems like it's happening almost all over the Estates, in North Naples and Naples Park. A couple of his drainage plans have come back. They have too many driveway cuts or there's too much driveway in the

yard, so he knows that's being looked at. Maybe there's a lot getting through? He also noticed that a silt fence has been down for quite some time on a commercial project. He knows inspectors must go out there for a 10-day certification. They do all the cells to see if they fill the cells and he knows that's where they're at, so he doesn't understand why the silt fence hasn't been corrected.

Mr. Short said if they see any active work in a right-of-way, they will stop and take a look. A lot of that work is happening on weekends or evenings. The County relies on getting complaints and Code Enforcement will address it if it has not been permitted.

They work with Pollution Control and the Engineering Division when it comes to silt fences. There have been times where they can put an inspection hold. Engineering will do that when we run into those issues when the silt fencing is lacking. When Code Enforcement staff goes out there, it's a strong educational push. If the site work already has been done or has been prepped and a contractor is taking it down because it's in his way, Code Enforcement does a strong educational push. That's something we look at.

Mr. Mitchell asked what would occur if they went to the site of a repeat violator on a commercial project, not a single-family home. Is it still an educational push? For the second time do you tell them to get in line and they will be fined the third time? What's the repercussion? What's the incentive for the contractor, whether it's a general contractor or a sub, to make sure they're not violating? That's a pretty big-ticket item.

Mr. Short said they coordinate with the Contractor Licensing Division and go for misconduct or some type of violation.

Mr. Boughton asked about the April 3 voluntary vacation rental registration deadline, short-term vacation rentals.

Mr. Short said that deadline is a grace period for voluntary registration before Code Enforcement goes after vacation rental homeowners.

Mr. Brooker asked what occurs when an owner registers. The County has a name to contact if there are complaints?

Mr. Short said it's a state Department of Business and Professional Regulation license, they pay a tourist tax, a local business tax and the County has a 24-hour contact that's beneficial to Code Enforcement, EMS and other emergency situations.

Mr. French said he and Jeff Klatzkow worked on this and it was adopted by the Board of County Commissioners on January 3. We gave a 90-day grace period for voluntary registration before Code Enforcement will go out. Local government may not preempt the state, so whether the activity is residential or a vacation rental, that's irrelevant to us because we have no authority. We are not the authority with jurisdiction.

We are simply making sure we have a good point of contact and you sign an affirmation that says "I am licensed with the state." We ask for the information and that you are properly registered for tourist tax, but the tax collector does not share that information. If there was a public records request, it would be redacted. That data will be shared with the Sheriff's Office, the Tax Collector and the Property Appraiser.

The predominant reason why is that in the event there are spring breakers visiting, or someone who doesn't live in the community, the Sheriff's Office looks at the address if a neighbor says he doesn't recognize the people who are there and they're getting a little loud. They can look it up, see it's a

vacation rental and there's a point of contact available who can be told, "Your home is now in disarray." They have one business day to react accordingly and start to make those repairs.

We also do a zoning verification to make sure we don't have a commercial building that they've partitioned out to make it a hostel, so now they've turned a big warehouse into a hotel. The idea for that is we took it from a zoning perspective. Your zoning review is already in the Board-adopted fee schedule. Because we are an Enterprise Fund, we use a front-desk planner to do that, so it's basically like a zoning verification. The registration costs \$50.

The bill died again in Tallahassee. They were going to take the County language. We worked closely with Sen. Kathleen Passidomo and appreciate her efforts, but it did not make it through. What they were going to do is charge a \$50 fee, or a maximum fee of \$75 for multiple properties. This was not a money grab for the County. It's just a registration process and we're checking the zoning. This allows first-responders and Code Enforcement staff to access the information.

It's not in report form, but you can request it under the state Public Records Law, Chapter 119. The County doesn't have reports. You'll get a data dump. You'll have to go through CityView to find it.

c. Public Utilities Department
(Report Submitted)

d. Growth Management Dept. Transportation or Engineering Division – [Jay Ahmad, Director]
Mr. Ahmad provided several updates on projects under construction and under design:

- Veterans Memorial Extension Project Phase 1: From Livingston to the new high school, a four-lane roadway is being built. Much of the work has been completed to the school. They're now working west of Livingston, preparing the roadway for westbound lanes, the base and pavement. Work east of Livingston is scheduled for Sept. 22. The contract says it should be done in June, but it's slow and they may be pulling staff to other projects they're involved with. The contract is for January 2023. It'll be completed about seven or eight months from now. It's supposed to be done before the high school opens to students this fall. Phase 1 goes up to the high school. East of Livingston will be completed by fall. We completed the Triangle Boulevard. It's the project from Collier Boulevard, connecting to U.S. 41. We did the access management there and a roundabout at Celeste Drive and worked on Price Street, which improved traffic. Lanes were added at the intersection of U.S. 41 and Triangle, and they are now doing a final painting and punch list. This will be the last update on this project.
- Whippoorwill Extension: This connects Marbella Lakes to Whippoorwill Lane, where they'll have about four roundabouts. The BCC awarded this contract as a design build, so they've been in the Design Phase of the design build. We're planning on issuing a Notice to Proceed for the Construction Phase on March 10. By contract, they're supposed to be done by the end of this year.

Projects in Design

- Vanderbilt Beach Road Extension: It's now in procurement and this will probably be the most expensive roadway project in the County. It's estimated at \$120 million. It takes Vanderbilt and extends it from Collier Boulevard east, approximately seven miles. It goes from Collier Boulevard to Wilson Boulevard, six lanes, three in each direction, and from Wilson Boulevard to 16th Street Northeast, two lanes, one in each direction. We hope to be in construction by late summer. We're still awaiting the FDEP 404 Permit. They are extremely slow in issuing permits. He's sent daily reminders and finally received a response three weeks ago that said the permit is imminent.
- Logan Boulevard improvements: Logan opened up to Bonita Springs and we've had many issues with traffic finding this roadway. There were a few issues of traffic backing up from Old Cypress to Immokalee Road. The three-way stop sign there is not helping. A lot of the traffic that uses it extends all the way to Immokalee Road. What we're planning to do is build a roundabout at that

intersection and at Riverstone, north of that. That project is in the final design phase. We hope to be in construction later this year.

Mr. Brooker asked about Goodlette-Frank Road north of Vanderbilt Beach Road, where there's ongoing construction. Is that a future widening?

Mr. Ahmad explained that it's extending that pathway that exists north, by Arthrex. It's extending it down to Vanderbilt Beach Road. But the County does have a project in 2024, a five-year plan to widen that roadway to four lanes. There's a grant associated with it, from Vanderbilt to Immokalee Road, to make it similar to what it is to the south, two lanes in each direction.

Mr. Boughton asked if there was anything being contemplated from Airport Road north to Immokalee Road.

Mr. Ahmad said there was and that's also associated with a grant. It's a roughly \$20 million project, the County has selected a consultant and is negotiating to hire Kimley-Horn to design the roadway for six lanes from Vanderbilt to Sam's Club on Immokalee Road. He believed it's a 2024 project. Part of the scope is to look at access management. There are not many driveways along there, Pelican Marsh, some subdivisions and Palm River. That will be part of the scope. Our task is to see what traffic improvements can be made and access management is part of that.

Mr. Boughton asked when this would occur.

Mr. Ahmad said he'd get back to the DSAC about whether it's in 2023 or 2024.

e. **Collier County Fire Review – [Shar Beddow or Shawn Hanson, Assistant Chief, Fire Marshal]**
(None)

f. **North Collier Fire Review – [Deputy Director Daniel Zunzunegui]**

Mr. Zunzunegui provided several updates:

- There were 503 fire reviews for February. If you look at planning, they surpassed us. They did a few more planning reviews than we did, but that's not factoring in complexity.
- The county partner meetings were canceled due to the spread of COVID slowing down locally. The video inspections they were implementing as a precaution are gone, unless a customer wants that service. It will now involve standard in-person inspections, which are conducted the next day. We're not bogged down.
- Business licensing: There are other avenues you can go to. If you're not getting the service you need, reach out and let us do what we can to get you taken care of.
- Turn-around time: There was about a four-day turnaround time for planning and building reviews. There were 534 plans, which is normal for February.
- Plans Queue: He monitors the queue, which fills up by the minute, throughout the day and assigns plans to people on his team. There's more of a specialty approach. If it's a sprinkler permit, there are two qualified people who look at water-based systems, and it's the same for fire alarms or a heavy architectural plan review. Everyone has different strengths. If it says five, 10 or 15-day, we have 30 days. To meet customers' needs, he allows for overtime every other weekend for inspectors who want to conduct plan reviews. They're able to stay ahead that way so there are no customer complaints and they can build sooner rather than later.

- Supply issues: There are still supply issues in the alarm industry, especially with semiconductor chips for intelligent-addressable fire alarm systems. We're trying to work with everybody, so if you're running into difficulty finding supplies and need alternatives, reach out to us. We're open to alternatives, even if it's a temporary fix or solution to a problem. We can place a hold and revisit on the existing grid, where we can find something.
- Alarm legislation: There are two House bills that will treat fire-alarm monitoring permits and any existing system in which they're altering 20 devices or less. They're supposed to be treated like a label permit – over-the-counter, \$40, and they could buy them in bulk. He believes the bill will pass. The Senate bill has its third reading today and will head to Gov. DeSantis to sign into law. That is going to overhaul how we conduct business here with a lot of our fire-alarm plans. It will affect how we inspect them onsite and there will be no plan review requirement. It will be an over-the-counter purchase, so they'll call us and it will be an as-built situation. They're really complex to vet because you have spacing of devices and battery calculations that we consider candelas. These are tedious systems, so even something that is 18 or 19 devices can really be difficult as an as-built system, so we're looking at ways we can go out as a district. Do we send an inspector at a plan review to meet with a field inspector to handle these events? We believe we may be going to sites multiple times before we can get it right. That might not be the best, but it's going to be law, and we're preparing to meet all the legal requirements that are part of this.
- District Consultants: The external stakeholder surveys will probably come directly from the Fire Chief, a message from Chief Ricardo asking for your input about the district.

- **g. Operations & Regulatory Management Division – [Jamie French]**

Mr. French noted that Commissioner LoCastro was at the meeting and Commissioners don't often attend DSAC meetings. **Mr. French** provided several updates:

Month-over-month, we were over that 62,000, close to 63,000 permits issued in calendar year 2021. That is not all-new construction. But what we have seen is a great deal of growth heading east now, many of them single-family home lots. We saw more than 200-300 lots the last time he looked at Golden Gate Estates, as far as platted lots. We picked up a couple of new lots because they've done some five-acre splits. Just like the traffic heading to the west, it's now taking an additional 10-15 minutes to get to work, if not longer.

There was 7% month-over-month growth just in building permits applied for. We're seeing the balance of the one- and two-family homes starting to be more stable. We think there's a labor shortage, like we have, but there are probably also commodity issues still out there remaining only because the price and availability of commodities have probably not come down that much. He hasn't checked the price of OSB (Oriented Strand Board) lately, but it reached over \$60 a sheet at one point.

Chairman Varian noted that if he wanted to buy trusses today, it would take 35 weeks and they don't even know the price upfront. That's what we're dealing with.

Mr. French said it's not so much a demand issue because we're seeing the plats come forward and we're averaging between nine and 10 plats a month, so the average plat is going to carry somewhere between 125, and could be 200 single-family home lots in a residential community because you're only going to plat what you can build, what they can sell, so it may not be the entire development. It's just going to be that site development plan for that particular area, so we're still seeing a great deal of plat activity monthly, and we're still taking those to the Board.

Inspections: What we're finding is that our inspectors are running somewhere between 33 and 35 inspections per day. When we ran a comparison against City of Naples and the City of Marco, our average inspector was driving 85 miles a day, compared to theirs driving at 5 to 10 miles a day. We've been exceptionally grateful for the support we've received from the Board and the County Manager's office. Between staff and staffing

shortages that have continued on, as well as just the sheer volume of the numbers, that caused a lot of overtime and will continue to do so.

We're fortunate that we've been exceptionally conservative for several years. With your support of me over the last 10-11 years, we've still got enough reserve-fund balance to continue to provide you with at least a more reliable level of service. Now it's not what we built, the next-day inspections, probably not. We're still trying to accommodate those inspectors who are calling us to say, "I can't get an inspection and I'm scheduled for a closing." We don't want you to miss that closing, so we'll do what we can, including going into the system and doing a manual override to get out there.

So whether it be land-use inspection, an 800-series inspection or a building inspection for final, the team is still dedicated and will continue to do that. But we're starting to see a bit of stress cracks. We've got some attrition going on and a bit of burnout.

So, we've got to address some time-off issues with staff who have built up more vacation time because they've worked more. He often gets a notification from the HR department, a blind copy, that says, "Hey, I've got a director, or I've got an employee who's got more than 440 hours. You can't earn more than that." That's alarming because that tells me that employee probably hasn't taken a vacation for a year or two. They're just working. That's OK, but it gets to a point where the machine starts breaking down a bit, and that that gives me some concern.

But the good news is that we are bringing those positions forward to the Board of County Commissioners this Tuesday. So, here's a great opportunity to be able to speak to the Commissioner and talk about how imperative those are to you.

He's gone over the Enterprise Fund before, but about 56% of our inspections are structural inspections, with about 9% mechanical, 9% plumbing, 9% HVAC. They balance out pretty evenly across those sections. Pre-application meetings have more than doubled. We're getting a great deal more tire kicking, we'll call it. They're paying the \$500. We're noticing some of the pre-apps are not coming back in for submittal. We've got some that are coming forward and talking about the affordable-housing piece.

Looking at the start, at the pre-app, we went back and took a small study of about 10 or 12 different communities on how much time it actually took because there was a question, or it came up in discussion, about whether we should be skipping the Planning Commission. The Planning Commission does a couple things for the Board. They clean the item up before it gets to the Board, so the Board can sit there and make a decision. What we saw was probably somewhere between a 30- and 90-day savings.

But the product, from pre-application to CO, no matter whether it had a GMPA or whether it was simply a rezoning entitlement, was somewhere between 32 and 38 months. So, we found the PUDS actually took more time than those that came in with the GMPA. The thought was that the ones we saw with the GMPA involved the same developer making the application and seeing it all the way through. Whereas when we were just going through the entitlement and the GMPA wasn't required, we assumed, because there was an eight- to nine-month gap, they could have gotten the rezone because there was a contract purchase, so at that point, now they're looking for their builder.

So again, we didn't get too far down in decision making, but timewise, he worked with the County Attorney's Office for about three days on this, and we went back through and looked at that, but the pre-application meetings have more than doubled.

Vacation Rentals: Going back through and looking at some of the land-development services, you'll see it up front at the zoning counter. Most activity right now appears to be vacation rentals. Although that data is not available to us, we think it's somewhere between 10,000-12,000 vacation rentals. We've only had about 600

or 700 that have signed up. Code Enforcement is going to have a bit of work to do with the Sheriff's Office. We are very appreciative of Code Enforcement. There are only about 20-25 investigators at any given time, and we do have some contract labor, but it's a big county to cover with such a small staff. Any questions?

Mr. Curl said that for a year, Eric Fey came to the DSAC because he couldn't get a position reclassified through HR. You're also talking about shortfalls within your department. You haven't specifically named HR, but can somebody please tell me because I'm on the Productivity Committee, as well, and I'm hearing it through Fleet Management that HR won't do this or that for us. Are they untouchable or something? Am I missing something? Do they work for you or are they ignoring requests? Could you shed some light on that please?

Chairman Varian said he had a similar question. He remembered that during his tenure, there was a specific person at HR who was knowledgeable about this department who worked for the department almost exclusively. Does that still happen?

Mr. French said that in 2011, he went to the Board of County Commissioners and asked for positions, one of which was an HR position that he paid for, or that you paid for because we're an Enterprise Fund and your customers pay our salary. Over time, that position was taken from our group and he wasn't certain what the allocation was now. But the thought was that when he brought the Executive Summary forward with your support, we understood the growth in the market.

We also understood that you represented probably about 10%-12% of the gross domestic product of this County, employing at least 20% in some form or fashion, a relationship from the economics on what this industry does, as far as the impact. So, whether you're working at Home Depot, Naples Lumber or you're a contractor or subcontractor, no matter what the job is, the bottom line here is that we really needed, not just in a leadership position with Nick [Casalanguida] there, but also from the support side, someone who is able not to walk in our shoes for a mile, but able to live in our heads for 30 seconds because this business is complex for a reason. The regulatory practices are difficult because they address the built environment, the natural environment, economics and socioeconomics. It takes a number of different things into consideration as we move forward, allow forward development or escort development through its process. But we did have a position.

Mr. Curl said he's bringing this up because in the Productivity Committee, one of the ideas for Fleet Management, which was similar to inspections, was to take the company truck home. Why wouldn't you offer that as an incentive for pay? All he was told about pushback was, "Now wait, eight charters. Got it? You need to wait." So, he was frustrated because he sees these problems – and this isn't an overnight problem – and these work together. We've been talking about this for a year and now it's starting to affect trusses, concrete blocks, and all that's doing is raising construction costs. He's not saying the approvals are part of that inefficiency, but he believes they're adding to it and causing construction costs to rise. He was happy with the Commission when they picked Mark Isackson as County Manager. He's hoping the next County Manager can look at things such as HR, growth management and PUD. If they can't drill down into those complex layers to make this all work, this problem will continue.

Mr. French said it's a complex business and it's a complex business for a reason. And to have that level of support from HR, IT, Fleet Management. He hears what Jeff Curl is saying because we were at one time the only group where there were 18 inspectors who were driving all the way to the Charlotte County line because it was a benefit. But he had to write a business case to show the financials and talk about the value of confidence in the market from the regulatory standpoint and how it impacts you. He wrote those formulas and had to present them to [former County Manager] Leo Ochs. So, he's been very fortunate to have been in a leadership role and to garner that level of support and trust from the industry, the community, the County Manager's Office and the Board.

He doesn't believe HR makes those decisions, as far as trucks. That could just be a business decision by Risk Management or the County Manager's Office. Getting back to HR, what they've grown to and their level of support, he won't say it's diminished, it's just changed. Our demands have increased and it's not the fact that you as a group hasn't said. "Look we're an Enterprise Fund, we're willing to pay for it." He appreciates that, but we're all part of a large agency working for the County Managers Office. And he knows that's a draw back to you because we can't move as fast as the private sector, or as fast as the private sector needs.

But the last thing he wants to do is sacrifice that level of confidence that you've put in him or this staff and team. He wants to be able to say, "Listen, we're going to find a way to accommodate you," and it's long hours, it's a lot of stress at times, and it's very complicated. But we'll get there. He's confident that they will and he's asking for continued support. And if you've got questions for HR, you're in a great position with the Productivity Committee. And if that's what the will of this advisory committee is, to pass that along to the County Manager's Office, to say, "Hey, listen, they want to see some more effort on the recruiting side," then he'll be happy to do it. But as far as staff, there's an established level of service and he asks that question a lot.

Mr. Dunnivant said we have been supportive. We feel like we do pay for those positions. They further the business that we bring to the County. As we've talked about in the past, you can advertise every position you want, but if you don't have competitive rates to try and get people, they're going elsewhere, other communities, other private industry. And we've been frustrated at times by the time it takes to get that rate study and how we get to where we can offer people enticing positions here at the County.

Mr. French said he agreed. After the rate study was done and after the Board approved it, he received a call from an engineering firm that said they were going to have to pay their employees more money. But you understand everybody is going to pay more money, you're in the same position. He's appreciative that the BCC took the time and he recognizes that they have to look at the entire organization, as HR does. We're not really singled out. We may be different, and maybe that's the case, and maybe if we had someone and perhaps during our next budget cycle, he'll ask for an HR person who looks at the analytics on how we're doing as far as competitiveness, retention in the market, and where the market is going. So, we either staff up or staff down and that could go as far as making cases for contract services, vendor services, job bank or full time.

Mr. Curl said he's not suggesting that government needs to get even larger and more bloated. What he's suggesting is targeting an actual efficiency, that somebody in upper-level management looks top-down and asks you as directors, "What do you need, what can we do to improve it?" When he hears we're looking at a right-of-way study. Really? It means to me that you guys should be helping with approvals. Again, that speaks to efficiency from the private side. So, if we don't have somebody targeting where those holes are in the man hours, and when you're saying that directors are doing overtime, that's a shortage of staff if they're filling in to do that. Can't somebody who is paid less do that job more efficiently or are you just looking to burn out the directors?

Mr. French said they're all working overtime hours. How can he expect the team to put in 60 hours a week if he's not willing to do it myself?

Mr. Curl commended him on his management style.

Mr. French said the reason they need to go back and look at the right-of-way documents is because they're dynamic in nature, they're not static, and they have to be like the LDC. It's because we recognize that the problem with the review process may be the way the policy is written. To change it, he has to change the policy and go back and fix what he inherited. We inherited the Right-of-Way Handbook. There are some breaks in it, he's trying to get them fixed and he needs to get it done. There will be a tenfold payoff. It's

worth it because what we're seeing is that the way it's written, we're making decisions where we're giving denials only because of the fact it doesn't say we can.

Mr. Curl said he's not trying to beat on him. He's just saying things like the Right-of-Way Handbook are a perfect example. Here's what happens now. In the process, you come up with suggestions, we see it as the subcommittee, all this back and forth. He suggested a charette instead. Get everybody in the room, talk about it at one time, develop it together, and go from there, instead of this back and forth like it's pickleball.

Mr. French said they're a great colleague and they're a wonderful partner and they're doing their best to support us. But it comes to a point where we run an average of about 17-20 vacancies and we have for the last year, which is no different than the industry. We're not getting nearly the placements. It takes a long time to hire people and some of that may be on us because we're too busy trying to help customers rather than trying to schedule interviews. We've been down this road before. We'll get there. Your continued support and criticism are welcome.

Chairman Varian asked how many vacancies he had, 25 or 30 vacancies, and he's only asking for what?

Mr. French said there are about 20. When he went back and looked at it, he could have confidently asked for 27. But he divided it by three. There's a reason, a rationale and it's because that formula has never failed us. The issue is why would we hire somebody that we're just going to lay off in perhaps a year? So, he'd rather come back in periodically if he sees growth. Right now, we're on a little downward trend, but it looks like a downward trend because it's only a two-year snapshot. Back the window out and look at 10 years where the numbers were giant. Can he do it with this number that he sees now with nine people? Absolutely. He could still justify 27, but if the market fluctuated at all, then he'd be looking at cutting staff and he's been there before.

In the Enterprise Fund world, he's neither pro-development nor anti-development. He's a regulator, but he operates on an Enterprise Fund, so he constantly keeps his eye on that money. If the dollars aren't coming in to pay for the service, then he's got about \$7 million in outstanding services at any given time that he owes them. So, he has to guard that \$7 million because he has a statutory obligation to always be able to provide. When they turn off the switch or turn it back on, he's still on the hook and he can't collect any more money. And that was the problem we ran into in 2010. So, we're not going to go there again. Nine employees is a good number, 10 is a good number, but as soon as he gets to 15, give him six months and if he needs to go back and ask again, he'll ask for more. The worst that can happen is they'll say "no."

Mr. Mulhere said he must access the zoning maps every day. The CAD system has a lot more information and for some reason, it only takes 25 minutes to load those maps. They're just PDFs and he's sure there's a fix for the zoning maps.

Mr. Regula said they're working on maps that will be contained in a single application. He asked if the PDFs take long to open. (Mr. Mulhere said they did.) He's nearly 100% sure the problem is on the County's side because they open quickly internally. He believes it may have something to do with the change in the County domain name and because they use both names.

Mr. French explained that Ken Kovensky is not at this meeting because he has a strong background in IT, an Ivy league education, his master's degree is in IT, he's our finance director, and he was a programmer for SAP. He's helping conduct interviews today to hire an IT director. We need him on that interview panel to ensure the County employs somebody to best address your needs, especially because 96% of our business is online. COVID didn't slow us down. Because they'd been working on the online portal system for three years, he alerted to tell them they could use the online portal. We just needed a reason to go live.

Chairman Varian commended John, Rich and staff for being able to fit in all their inspections.

Mr. French said they're fortunate to have the team they have.

Commissioner Rick LoCastro said he's the only commissioner working full time and can be found at his County office or out in the county working. He's at this meeting because he wants to know how things work, and learns something new every day.

When citizens encouraged him to run, one of the reasons he waited is that he spoke to a lot of mentors and others and knew what a big job it was. He commended DSAC members for volunteering to make the process better and asked if there was anything he could do to help as a commissioner. He also commended Jamie French for being one of the County's top people. He wants to meet other people who are part of the process.

After approving the vacation rental registrations as a commissioner, he said he's concerned about the number who aren't registered. Vacation rental numbers are around 12,000, but only 625 registered and the deadline is April 3. He knows the County is shortstaffed, so where is the team of 500 people that are going to catch the 11,500 people that haven't registered yet? That's a real concern. He said he often speaks police on Marco Island and Collier County deputies and they tell him they show up and there are 50 people in a two-bedroom house at 3 a.m. and they're loud. He hopes this doesn't turn them into rental police. He hopes the registration process provides traction and helps law enforcement by providing the homeowner's name and holding them accountable.

He asked if he could help with the HR situation and the dedicated HR person they once had. He said he'd make that his assignment, to talk to the County Manager about it because this is an important department. He noted that HR has a \$1.2 million payroll, he was happy the County didn't hire a headhunting firm after Commissioner Saunders changed his vote, and finding this new hire is a test to see if HR does its job well. He said if they can't find the right person for the job, they should all be fired. He asked if they had any questions, how could he help them.

Mr. Mulhere said their ability is to be of assistance in getting a better product in land code and building code amendments and making it understandable for Commissioners before they read it.

Commissioner LoCastro told them not to assume the commissioners are all in their offices looking through the documents. He urged them to get on his calendar to talk. He said he can talk honestly with developers and he's here to work. He plans to come to the DSAC meeting every month.

Mr. Brooker said the DSAC reviews the Land Development Code amendments that are being proposed and has a unique perspective from the development industry on what may work. What may be problematic is that part of the Land Development Code amendments come as a result of a Growth Management Plan amendment or text change, which automatically generates a required LDC amendment that's consistent with that GMP amendment. Under County ordinances, the DSAC does not have the authority to review GMP amendments. Perhaps their thinking was that they didn't want the development industry involved in higher policies, but the GMP has evolved over the years to be quite specific. In certain circumstances, it's targeting certain small areas for certain development or certain growth that DSAC has specialized knowledge about. He's mentioned a few times in the past few months that DSAC should be granted the authority to review GMP amendments.

Commissioner LoCastro asked if they'd ever had the authority.

Mr. Mulhere said they had not, it was written that way, but it could easily be amended to include it.

Mr. Brooker said he didn't believe it was a deliberate decision to exclude DSAC, but it probably developed before the LDC. He said their powers should be amended to include the authority, to expand their power. He

suggested that Commissioner LoCastro could talk to the County Manager, and it could be brought to the BCC for a vote.

Ms. Spurgeon said County Attorney Jeff Klatzkow would be a good start.

Mr. Mulhere reminded him that they only have advisory abilities.

Commissioner LoCastro noted that everyone thought Deputy County Manager Nick Casalanguida would be the next County Manager, but he left. He said the problem is that the County doesn't have a stable of candidates. He hoped the new hire for County Manager would be an internal candidate. He urged staff to apply and asked DSAC to encourage anyone they think would be good to apply. He said he'd be back to report what the County Manager has to say about the dedicated HR position.

h. Zoning Division – [Eric Johnson, Zoning Planning Manager]
(None)

6. New Business

7. Old Business

8. Committee Member Comments
(None)

9. Adjourn
Future Meeting Dates:
April 6, 2022, 3 p.m.
May 4, 2022, 3 p.m.
June 1, 2022, 3 p.m.

Mr. Mulhere made a motion to adjourn. Second by Mr. Boughton. The motion carried unanimously, 11-0. (Mr. Valle left the meeting before the vote.)

There being no further business for the good of the County, the meeting was adjourned by the order of the chairman at 4:42 p.m.

**COLLIER COUNTY DEVELOPMENT SERVICES
ADVISORY COMMITTEE**



Chairman, William Varian

These minutes were approved by the Chairman on 4/6/22, as presented (choose one) _____, or as amended ✓.