

TRANSCRIPT OF THE MEETING OF THE
COLLIER COUNTY PLANNING COMMISSION
Naples, Florida
November 3, 2022

LET IT BE REMEMBERED, that the Collier County Planning Commission, in and for the County of Collier, having conducted business herein, met on this date at 9:00 a.m., in REGULAR SESSION in Building "F" of the Government Complex, East Naples, Florida, with the following members present:

Edwin Fryer, Chairman
Paul Shea
Christopher T. Vernon
Randy Sparrazza
Amy Lockhart, Collier County School Board
Representative

ABSENT:

Joe Schmitt
Robert L. Klucik, Jr.

ALSO PRESENT:

Raymond V. Bellows, Zoning Manager
Mike Bosi, Planning and Zoning Director
Jeffrey Klatzkow, County Attorney
Heidi Ashton-Cicko, Managing Assistant County Attorney
Derek Perry, County Attorney's Office

PROCEEDINGS

MR. BOSI: Chair, you have a live mic.

CHAIRMAN FRYER: Thank you, Mr. Bosi.

Ladies and gentlemen, I'm going to make a pre-meeting announcement so that you all are aware of the circumstances, and people who are watching on television will also know. We do not have a quorum, as maybe you've observed, but we expect shortly to have one. And so in approximately 15 minutes or so we think we'll have a quorum, and we will come to order and commence our meeting at that time. So this is just a pre-meeting announcement to let everyone know what is going on.

So we'll stand in recess until 9:15. Thank you.

(A brief recess was had from 9:01 a.m. to 9:14 a.m.)

MR. BOSI: Chair, you have a live mic.

CHAIRMAN FRYER: Thank you, Mr. Bosi.

Ladies and gentlemen, good morning again, and welcome to the November 3rd, 2022, meeting of the Collier County Planning Commission.

Would everyone please rise for the Pledge of Allegiance.

(The Pledge of Allegiance was recited in unison.)

CHAIRMAN FRYER: I ask our newly elected secretary to please call the roll.
Mr. Secretary.

COMMISSIONER SHEA: First time. I hope I don't screw it up.

CHAIRMAN FRYER: I'll let you know if you do.

COMMISSIONER SHEA: Commissioner [sic] Lockhart.

MS. LOCKHART: Here.

COMMISSIONER SHEA: Commissioner Shea is here.

Chairman Fryer.

CHAIRMAN FRYER: Here.

COMMISSIONER SHEA: Mr. Vernon.

COMMISSIONER VERNON: Here.

COMMISSIONER SHEA: Commissioner Randy. I'm going to get used to these names.

COMMISSIONER SPARRAZZA: Present.

COMMISSIONER SHEA: So we have a quorum, Chair.

CHAIRMAN FRYER: Vice Chairman Schmitt and Commissioner Klucik both have excused absences.

So addenda to the agenda.

Mr. Bellows.

MR. BELLOWS: Yes. There has been a request to move agenda Item 8, which is the Mediterra petition, to be heard first.

CHAIRMAN FRYER: Thank you.

MR. BELLOWS: That is the main change that we have for today, plus the continuance of the first two items.

CHAIRMAN FRYER: Yeah. Well, we'll come to that in a moment. With respect to the Mediterra item, in my personal view, having read the material carefully, it seems to me that that is not going to be a lengthy -- and perhaps I'm being presumptuous to say this -- or contentious matter. Again, I could be proven wrong. And so it would be

my recommendation to the Planning Commission that we adjust our agenda and hear Mediterra first.

COMMISSIONER SHEA: I agree.

CHAIRMAN FRYER: Without objection?

(No response.)

CHAIRMAN FRYER: Okay. Without objection, then, that will be our change in our agenda.

Anything else, Mr. Bellows, on the -- and we're going to come to the other in a moment.

MR. BELLOWS: That was all the changes I had.

CHAIRMAN FRYER: Okay. Thank you.

Planning Commission absences. Our next meeting is on November 17. Does anyone know if he or she won't be able to attend that meeting?

COMMISSIONER VERNON: I will not be there.

CHAIRMAN FRYER: Okay. And I am not sure about Vice Chairman Schmitt and Commissioner Klucik. I know the reasons for their absences, and they're both extraordinary situations. I'm not sure if they will be concluded in time.

Mr. Bosi, do you know -- in one case it's international travel and another case a wedding, I believe.

MR. BOSI: Mike Bosi, Planning and Zoning director.

Neither of them, I think, indicated that it was extensive, but I'll work with Mr. Youngblood, and we will reach out to Mr. Schmitt and Mr. Klucik and confirm their availability and provide it to the rest of the Planning Commission to make sure that we know that we're going to get ourselves a quorum.

CHAIRMAN FRYER: Very good. Thank you very much.

All right. And then the meeting after that is December 1. Same question: Anyone know if he or she will not be able to be in attendance at the December 1 meeting?

COMMISSIONER SPARRAZZA: So far I plan to be at both November 17th and December 1.

CHAIRMAN FRYER: Thank you, Mr. Sparrazza.

COMMISSIONER SHEA: Same here.

CHAIRMAN FRYER: Good.

And, Mr. Vernon, as far as you know?

COMMISSIONER VERNON: I think I'm good.

CHAIRMAN FRYER: Okay. On 1. On November 17 you won't not be, though.

COMMISSIONER VERNON: I will be here on November 17th. I should be here on December 1st.

CHAIRMAN FRYER: Okay. Very good.

Approval of minutes. We have one set before us for action today, and those of our meeting of September 15, 2022. Any corrections, changes, or additions to those minutes?

(No response.)

CHAIRMAN FRYER: If not, I'd entertain a motion for approval.

COMMISSIONER SHEA: So moved.

CHAIRMAN FRYER: Is there a second?

COMMISSIONER SPARRAZZA: Second the motion.

CHAIRMAN FRYER: Any further discussion?

(No response.)

CHAIRMAN FRYER: If not, all those in favor of approving the minutes of September 15, 2022, please say aye.

COMMISSIONER SHEA: Aye.

CHAIRMAN FRYER: Aye.

COMMISSIONER VERNON: Aye.

COMMISSIONER SPARRAZZA: Aye.

CHAIRMAN FRYER: Opposed?

(No response.)

CHAIRMAN FRYER: It passes unanimously.

Passes unanimously. Thank you very much.

BCC report, recaps, Mr. Bellows.

MR. BELLOWS: Yes. On October 25th, the Board of County Commissioners approved on their summary agenda a conditional use and variance for a communication tower, and then on their regular agenda, the transmittal of the Growth Management Plan amendments for the Collier Boulevard/I-75 Innovation Zone was passed by a 3-2 vote.

CHAIRMAN FRYER: Thank you very much.

In the interest of the time of the members of the public who wanted to be here to speak today, I'm going to take the liberty of the Chair and move a couple of things out of order, and I probably should have talked about the behavioral center matter under addenda to agenda. But I'm going to raise that subject now.

What -- the first meeting [sic] would have been companion matters, PL20220002807, Collier County Behavioral Health Center Small-Scale Growth Management Plan amendment and PL20220002221, the proposed Collier County Behavioral Center CFPUDZ.

Commissioner Vernon has informed us that he must recuse himself on these matters, which leaves us with only three members present and voting and, therefore, we do not have a quorum to hear and consider and complete that matter; therefore -- and I know that, certainly, the petitioner would like to put this on for our -- for the concluding session as soon as possible. So it would be my proposal that we continue it to a date-certain, namely our next meeting of November 17, and I'd entertain a motion to that effect.

COMMISSIONER SHEA: So moved.

CHAIRMAN FRYER: Is there a second?

COMMISSIONER SPARRAZZA: Second.

CHAIRMAN FRYER: Any further discussion?

(No response.)

CHAIRMAN FRYER: And, again, our apologies to those in the red shirts. Sometimes these things can't be avoided. We appreciate your being here this morning. Sorry that we have to continue, but since we don't have a quorum, that's what we have to do. Thank you very much for your interest in Collier County planning matters.

All those in favor of continuing to the date-certain mentioned, please say aye.

COMMISSIONER SHEA: Aye.

CHAIRMAN FRYER: Aye.

COMMISSIONER VERNON: (No verbal response.)

COMMISSIONER SPARRAZZA: Aye.

CHAIRMAN FRYER: Opposed?

(No response.)

CHAIRMAN FRYER: It passes unanimously. Thank you.

All right. The reason I did that -- I don't have a Chairman's report today, but I wanted to say a word or two about consent agenda. We haven't had any items on our consent agenda for, really, probably a matter of years, and my predecessor, Chairman Strain, introduced this concept quite a while ago in order that matters where extensive and sometimes complex conditions were associated with our approval, we wanted to bring the matter back so that we could see how those conditions had been written up and have a final word on the conditions before we finally passed the matter.

So we would take it up at the subsequent meeting on consent just -- and the only issue would be whether the scribes had been faithful to whatever our agreement had been with respect to conditions.

So we haven't done that in some time, and I think it's a good practice. I don't believe we have -- I don't believe a situation has come up where we have needed this, but it could, and we should always reserve to ourselves the final say on the language that is used in conditions when we approve a matter with conditions. So that was one way that it was done.

And also what Chairman Strain had done in cases where the language was perhaps a little less controversial or complicated, he would reserve to himself with the consent of the Planning Commission the ability to review the draftsmanship of the conditions and then, as delegated to him by the Planning Commission, he would approve or bring the matter back on consent, which would expedite it somewhat and enable the matter to go forward before the next scheduled meeting.

So we have these two devices available to us. And I'm not suggesting that we eliminate the consent agenda from our -- from our template of agenda items. But I just want to make everyone aware of that's why we have it. And when we do get matters that are complex or where the consensus that was reached up here depends on the exact wording used and we want to have one final look at it, that we bring the matter back on consent, and the only issue when we bring it back -- we don't reopen the matter. We just look at the language that we wanted to be sure was correct, and then we give our final approval.

COMMISSIONER SHEA: Can we put something on the consent agenda before we actually hear it, something that we all look at and feel that we don't need to hear any more, we're ready to vote in a favorable manner, or non-favorable, either way?

CHAIRMAN FRYER: The trouble is is that public speakers, among other things, we need to -- even though we may have thought that we've made up our minds, we haven't heard from the public yet, and they might, you know, bring something to our attention that would cause us to change our minds.

COMMISSIONER SHEA: The Planning Commission uses the consent agenda a lot. To me that means --

CHAIRMAN FRYER: BCC.

COMMISSIONER SHEA: The BCC, not the Planning Commission. Does that mean that -- how does it get on the consent? All of the commissioners have said they're going to support it?

CHAIRMAN FRYER: The way that works is that if there is any public issue, if

any -- if one person -- and, Ms. Ashton, correct me if I'm wrong, but if it a planning commissioner -- if a planning commissioner has raised a question about it or voted against it, any member of the public has raised a question, it does not go on the BCC's consent agenda; is that correct?

MS. ASHTON-CICKO: For the most part.

CHAIRMAN FRYER: Okay.

MS. ASHTON-CICKO: But if I may --

CHAIRMAN FRYER: Please, yeah.

MS. ASHTON-CICKO: -- provide clarification to the Planning Commission members. The Planning Commission consent agenda operates a little bit differently. So you actually vote on the matter during the regular session, and it's concluded for purposes of it's approved or not approved.

The consent agenda, if any member wants to bring it back to the consent agenda so the Board as a whole can review the language, then it needs a motion, you know, to bring it back. That's why you don't see it on the consent agenda, because that motion hasn't been made in a while.

So if I could clarify, so then you take another motion, but that's solely as to whether the language is correct or not.

CHAIRMAN FRYER: So they're both called consent agendas but they have different purposes, and that is a little bit confusing and, frankly, it confused me when I first came on here. But with that explanation, thank you, and that does clarify.

So having said that, and I -- and thank you, Commissioner Shea, for raising that question. My purpose was to -- by way of an information, to inform the planning commissioners and the members of the public why we have a consent agenda and that I think it's a valid tool for our use and also to entertain any further discussion that any of us might want to have about employing that or, in matters where there's perhaps less potential disagreement over the exact wording, delegating the authority to the Chairman to take a look at it. And if the Chairman believes that the matter should be brought back on consent, the Chairman can always do that.

So does anyone want to have any further discussion about that?

(No response.)

CHAIRMAN FRYER: Okay. All right. Fair enough. Okay. So the first hearing -- first matter that we were going to hear has been continued to a date-certain, November 17. So thank you, applicant, thank you, members of the public. And we will see you at that time.

And now we have -- we've moved our agenda somewhat so that we could hear the Mediterra matter next and, therefore, let me formally call that matter. It's PL20210001368, the Mediterra CPUDA.

All those wishing to testify in this matter, please rise to be sworn in by the court reporter.

(The speakers were duly sworn and indicated in the affirmative.)

CHAIRMAN FRYER: Ex parte disclosure starting with Ms. Lockhart.

MS. LOCKHART: Reviewed staff materials only.

CHAIRMAN FRYER: Thank you.

COMMISSIONER SHEA: Staff materials only.

CHAIRMAN FRYER: Thank you.

In my case, staff materials and a brief discussion with staff.

COMMISSIONER VERNON: No disclosures.

COMMISSIONER SPARRAZZA: Staff materials only.

CHAIRMAN FRYER: Thank you.

All right. With that, applicant, you may proceed, please. Did you --

COMMISSIONER VERNON: Yeah. I was trying to do it during the break. Let just -- I'll just take two seconds -- take 20 seconds here. I want to apologize to everybody in the room, all the members of the public, all the staff, legal, and certainly my fellow board members for being late, and the court reporter, as those of you who know me know I'm not usually late. And I know everybody's time's important, so I just didn't want you to think I was flippant about that. I sincerely apologize to everybody in the room.

CHAIRMAN FRYER: Well, thank you for those words.

COMMISSIONER SHEA: You can buy us all lunch.

COMMISSIONER VERNON: I didn't offer that, Paul.

CHAIRMAN FRYER: We understand. And I'll just cap on to that by saying we don't want a Planning Commission consisting exclusively of retired people. I don't think that's healthy or good. So having people who are in the business and legal professional world, we want to accommodate that, and we always will. So thank you for your words, but we're glad you're on this commission.

Madam Applicant, please, go ahead.

MS. EMBLIDGE: Yes. Good morning. Thank you, Commissioners. Margaret Emblidge, director of planning with Agnoli, Barber & Brundage. I'm here today representing the applicant, the new club at Mediterra. Okay. I need to advance the PowerPoint. Okay. No, I have it.

I'm getting schooled here.

CHAIRMAN FRYER: There will be a final exam.

MS. EMBLIDGE: Okay. Well, I'll take notes.

So as I mentioned, the applicant, the new club at Mediterra, is requesting this amendment to the Mediterra PUD. As part of the planning team, we have myself, Margaret Emblidge; Annette Keaney (phonetic) and also Brent Boldy (phonetic), graphic artist.

To give you a little background, Mediterra was originally approved in 2001. It's a project that's split between Collier County and the City of Bonita Springs. Collier County was approved for 750 residential units plus also two village center tracts to provide amenities for the residents.

The original square footage that was approved for the amenities was 80,000 square feet. The subject of this amendment is to increase the square footage to 120,000 square feet. Just as a sidenote here, we also had an amendment in 2004 that was insubstantial, and it was clearly amending the village center parcel on the east side of Livingston to allow it to be either residential or village center and, currently, it's being used for a stormwater lake.

Getting back to the proposed amendment, again, as I said, that this request is to increase the maximum square footage to 120,000 square feet. This is to accommodate currently a planned expansion of the sports club and then allow for an opportunity for future expansions of the village center elements.

Here's a detail of what the sports center extension or expansion would include.

There's a lot of detail here. I won't go through it unless you have questions.

We had held an information -- excuse me -- neighborhood information meeting on August 31st at the Mediterra clubhouse. There were four members of the public that attended, one in person and three via Zoom, and there were no objections or concerns that were raised at that meeting.

In conclusion, and also found in your staff recommendation, which I appreciate the recommendation for approval, is that the project remains consistent with the Growth Management Plan, and the amendment is consistent with the overall development plan, and that it also -- I just wanted to note that only the residents can obtain a membership, and the number of memberships are fixed. So based on that, there are no increases in any traffic impacts.

And as I mentioned, there's no public opposition at this point. And I guess I will conclude there and thank you, and if you have questions, I'm available.

CHAIRMAN FRYER: Thank you, Ms. Emblidge.

Any questions for the applicant at this time?

(No response.)

CHAIRMAN FRYER: No. I think there are none. Thank you very much.

MS. EMBLIDGE: Thank you.

CHAIRMAN FRYER: Staff, your presentation, please.

MR. BOSI: Mike Bosi, Zoning Director.

Staff is recommending approval. As Ms. Emblidge has pointed out within her presentation, this raises no issues from a Growth Management Plan perspective. The project -- the project has existed since 2001. It's 21 years old. And this is really geared towards what we want to promote within our residential communities, providing nonresidential -- expansion of nonresidential space to increase the internal capture. So they're adding more club space to provide for more amenities, more activities for the residents within the community while retaining also the ability to add additional square footage of commercial square footage, which would help with that internal capture. So staff is very supportive of it. We recognize there's no opposition to it. It's an internal -- it's an issue internal to the Mediterra PUD. So staff is providing a recommendation of approval.

CHAIRMAN FRYER: Thank you. From my perspective, I think it's a very sensible thing that is definitely consistent with what this county wants to see.

Any members of the Planning Commission have a question for staff? Comments?

(No response.)

CHAIRMAN FRYER: If not, thank you.

Mr. Youngblood, do we have any public speakers?

MR. YOUNGBLOOD: Mr. Chairman, I don't have any registered public speakers for this item.

CHAIRMAN FRYER: All right. Anyone who's in the room and did not register but wishes to be heard on this matter, please raise your hand.

(No response.)

CHAIRMAN FRYER: Seeing no hands raised, thank you.

With that, we'll close the public comment portion of this hearing and have our deliberation and a vote. A motion would certainly be in order.

COMMISSIONER VERNON: Vernon moves.

COMMISSIONER SHEA: Second.

CHAIRMAN FRYER: All right. It's been moved to approve, and it's been second. And I'll point out that there's no need for EAC action on this matter.

Any further discussion?

(No response.)

CHAIRMAN FRYER: If not, all those in favor of approving the PUD amendment, please say aye.

COMMISSIONER SHEA: Aye.

CHAIRMAN FRYER: Aye.

COMMISSIONER VERNON: Aye.

COMMISSIONER SPARRAZZA: Aye.

CHAIRMAN FRYER: Opposed?

(No response.)

CHAIRMAN FRYER: It passes unanimously.

Thank you, Ms. Emblidge.

Thank you, staff.

All right. Bear with me one moment. There we go.

***Okay. The next matter to come before us is PL20210002449. This is the 5175 Maple Lane rezone.

All those wishing to testify in this matter, please rise to be sworn in by the court reporter.

(The speakers were duly sworn and indicated in the affirmative.)

CHAIRMAN FRYER: Thank you.

Disclosures, starting with Ms. Lockhart.

MS. LOCKHART: Staff materials and also communication via email from community members.

CHAIRMAN FRYER: Thank you.

COMMISSIONER SHEA: Staff materials.

CHAIRMAN FRYER: Thanks.

In my case it's -- Mr. Bosi.

MR. BOSI: Chair, the order within the agenda, there was the TDR -- the \$25,000 removal of the -- for the base credits was No. 3. We've just skipped order, just to let you know.

CHAIRMAN FRYER: Yeah, thank you, and that's my fault, and I apologize. But on further reflection, I think that this is probably a good way to go.

MR. BOSI: Okay.

CHAIRMAN FRYER: Does anybody disagree?

(No response.)

CHAIRMAN FRYER: Because this is likely to be contested, and we've got people who are here. So having said that, let's see. We've -- we're ready to hear from the applicant, and this also does not require EAC action.

Mr. Arnold, you're recognized, sir.

MR. ARNOLD: I'm Wayne Arnold. I'm a certified planner with Q. Grady Minor & Associates representing the applicant for this five-acre rezoning on Maple Lane.

With me today is Rich Yovanovich, who's counsel for the project, and I have Mike Delate, who is one of our engineers with our office who is handling the civil engineering.

Unfortunately, our traffic engineer, Jim Banks, is ill and is not in attendance today.

So on the screen you have a location map. Maple Lane is off of South Tamiami Trail by Treviso Bay, and this tract of land is a five-acre tract that's been a commercial nursery for many, many years, until the last year it was closed when Mr. Giles purchased the property. And you can see the condition of it from about a year ago where the nursery operations had been ongoing.

So under the Comprehensive Plan, this property is designated as your Urban Coastal Fringe. It's 5.3 acres. Under the Density Rating System, the property qualifies for three units per acre, and that would equate to 16 dwelling units on this property. We have conditioned the straight rezone request to limit the project to 13 single-family lots.

The proposed request, again, is to allow this to become from agricultural zoning to an RSF-4 single-family district.

The surrounding properties are all RSF-4 zoned to the east, and to the north is Treviso Bay. So as part of this process, we laid out a conceptual plan that we're willing to commit to. This isn't a PUD, but you do have provisions for allowing conditions to a straight rezone.

So we've conditioned this to 13 lots to be arranged generally in this arrangement with some flexibility. It hasn't been completely designed yet, but we know that we can lay out 13 lots meeting all the RSF-4 standards.

One of the things that Mr. Delate did, after the neighborhood information meeting, several of the residents raised flooding issues as one of the potential problems. So one of the exhibits, Mr. Delate did a very conceptualized water management exhibit that's also one of the conditioned [sic] to your rezoning and met with your Stormwater staff on site. And there was some back and forth, because there -- let me go back to the aerial.

To the north there's a canal, and then to the west is part of the Lely canal system, and there's a weir structure there that holds back water. And what we agreed to do was not discharge upstream of the weir. We want to discharge downstream of the weir so that there's no more water being contributed that could back up towards the other residences to our east. So we think that solves any potential issue and, in fact, this would be the only part of the street that has a controlled water management system.

CHAIRMAN FRYER: Commissioner Vernon is signaling, and before I ask him to make his question or comment, I need to add a disclosure. I made a site visit as well, so I want to add that.

Commissioner Vernon.

COMMISSIONER VERNON: Yeah. Wayne, was the change you just discussed after the NIM meeting or before?

MR. ARNOLD: It was after.

So this is the surrounding zoning map that I referenced. So you can see that immediately to the east is also all RSF-4 zoned property. So we're asking to be zoned to the exact same zoning district as our immediate neighbors, continuation of Maple Lane across the frontage of this property, and then it would allow for the 13 lots as I just showed you in that exhibit.

The conceptual water management plan, really, it consists of collecting water on the site. Mr. Delate can certainly explain it in more detail if you need him to do that. But we would collect water on site in a water management area and then pipe it to the south, across Maple Lane, and into the outfall structure that's south of Maple Way [sic], and then

it gets to the canal beyond the control structure. So we think that addresses one of the major concerns we heard from the neighbors.

There are several conditions in your staff report. There was some concern that they were somehow going on to also access Raintree Lane, a street that's sort of to the northeast, and we are not. We've committed that our access would be Maple Lane, 13-lot maximum, design a surface water management system that meets the 25-year --

CHAIRMAN FRYER: Mr. Arnold, sorry. A question on that point, if you don't mind.

MR. ARNOLD: Yes, sir.

CHAIRMAN FRYER: The Raintree Lane -- and I'm familiar with this now because I made a site visit yesterday -- is open. And are you saying that this -- that the access on Raintree Lane will be limited during the construction phase?

MR. ARNOLD: I don't think we need it for construction either. It was used as a back access for the nursery operations.

CHAIRMAN FRYER: Because it's open right now.

MR. ARNOLD: Yes. We don't intend to use Raintree Lane at all.

CHAIRMAN FRYER: Ladies and gentlemen, please. Are you -- are you going to close off Raintree so that it can't be used?

MR. ARNOLD: We would have no access to Raintree. Our lots would back up in that area. So there's -- we show no access on the conceptual plan, sir. Raintree Lane would be sort of in this area, and we're not connecting to that at all.

CHAIRMAN FRYER: No, but you can come off of the East Trail at Raintree.

MR. ARNOLD: Correct.

CHAIRMAN FRYER: And then take that road -- and I can't remember the name of the road that would take you over to Maple.

UNIDENTIFIED SPEAKER: Tamiami Court.

MR. ARNOLD: Yes.

CHAIRMAN FRYER: Ladies and gentlemen, let me say one more time. We don't speak from the audience. We speak when we're testifying. So please refrain from doing that. My question is, is there a way that you can really prevent residents from using Raintree, particularly if they're coming from the west? That would be the first turn they would take. It's an open street.

COMMISSIONER VERNON: And then cut through.

MR. ARNOLD: Yes. There would be no access to this property from Raintree. That would be closed off at the property line.

CHAIRMAN FRYER: Well, but there's indirect access, because you could come off the East Trail on Raintree and then take that smaller road -- and I can't think of the name of it -- over to Maple.

MR. ARNOLD: Yeah, I understand what you're saying, but to get to this property, your address will be Maple Lane.

CHAIRMAN FRYER: Okay.

MR. ARNOLD: I mean, yes, you could turn on Raintree Lane, but I could always drive down off Tamiami Court and turn onto Maple Lane or to Cypress Lane, and Cypress Lane also goes back out to U.S. 41.

CHAIRMAN FRYER: I understand. I do understand that. But it, I think, is a little misleading when you say that there will be no access from Raintree, because if

someone wants to use Raintree to get to Maple Lane, they can. They just have to take a couple more turns.

MR. ARNOLD: Well, there's no other connecting street that connects Raintree and Maple Lane other than Tamiami Court, so that's the street to the east.

CHAIRMAN FRYER: Yeah, but --

MR. ARNOLD: So -- sorry that this doesn't go all the way out to U.S. 41, but Raintree Lane, right now, you could drive into the property here. This will be closed off at the property line. So your only access will be down Tamiami Court and then across Maple Lane to the property.

CHAIRMAN FRYER: Yeah. I'm just -- if you were driving from the west on the East Trail, I would want to take the first right turn that was available to me, and that would be Raintree, and I would do a zig at Tamiami Court, get over to Cypress and then Maple.

MR. ARNOLD: Yes. Well, I think going back to the concern from the neighbors was that our traffic was going to be using Raintree Lane, and the traffic for our project will be using Maple Lane. If there's another way to express it in the condition, I'm happy to entertain that. But our intent was to use Maple Lane only for the project access.

MR. YOVANOVICH: If I can, I think the concern was using -- where is the -- this portion of Raintree. That was the concern --

CHAIRMAN FRYER: Yeah.

MR. YOVANOVICH: -- not the brief part of Raintree coming off of Tamiami Trail. So if we can write it better -- I guess what you're saying is it implies we'll use no part of Raintree as access. Obviously, we're going to use that short -- short piece of Raintree to get to that other road to get to Maple.

CHAIRMAN FRYER: Thank you. I would like to see it rewritten to clarify that. They're not -- they're not closing Raintree Lane --

MR. YOVANOVICH: Right.

CHAIRMAN FRYER: -- at Tamiami Court, so that is available to people who are coming east on the East Trail. And we can deal with that language. I just -- now I have the clarification I needed.

Commissioner Sparrazza.

COMMISSIONER SPARRAZZA: Thank you.

If I understand this correctly, are you still proposing there will be a cul-de-sac or some type of, quote, dead-end at the most western end of Raintree; therefore, not allowing access to the new division that you're talking about? If you were to be the last western home on Raintree, you would have to drive east, go over to Tamiami Court, head southeast, and then swing around to head west on Maple Lane to get to the new subdivision; is that correct?

MR. ARNOLD: That's correct. So what happens is you would come down Tamiami Court and access Maple Lane. So I think what -- this part isn't disputed. These are commercial uses that are serviced by the road anyway. The question was whether or not we would bring traffic in on Raintree, which is a more direct route, and the intent is absolutely not. We would come down to Maple Lane to access the property. So I think we can certainly rephrase the condition.

CHAIRMAN FRYER: Thank you.

COMMISSIONER SHEA: But are you having a cul-de-sac at the end there like Commissioner Sparrazza was asking?

MR. ARNOLD: Well, there's not really a cul-de-sac there today. I don't know there's any room in the right-of-way.

COMMISSIONER SHEA: It's just a dead-end.

MR. ARNOLD: It's just a dead-end.

COMMISSIONER SPARRAZZA: A dead-end, right. So no direct access point?

MR. ARNOLD: No direct access point, yes, sir.

COMMISSIONER SPARRAZZA: Thank you.

CHAIRMAN FRYER: Thank you.

MR. ARNOLD: Back to those. So we established a trip cap as part of the TIS that was prepared. It's typical that you see for PUDs. We were asked to include one for the straight rezoning, and we have a cap in there of 15 peak-hour trips. And staff had a few more conditions that we are certainly in agreement with.

And that is our brief presentation. We're happy to answer questions if you have them.

CHAIRMAN FRYER: Okay. Thank you. So to clarify, there are eight conditions, and you're in agreement with all of them, and we've -- our minds have met on some revised language for Condition No. 1, and that will be changed, correct?

MR. ARNOLD: That is correct. Rich and I will work on some language as we speak. Hopefully we can read that into the record before you vote on the project.

CHAIRMAN FRYER: Thank you very much. Any questions or comments from the Planning Commission for the applicant?

COMMISSIONER SHEA: So why -- explain why we're here. He's asking for less lots. What is he -- what's changing? What are we voting on?

CHAIRMAN FRYER: It's a rezone. It's not a PUD; it's a rezone.

MR. ARNOLD: We are currently zoned agriculture. So to develop this with the single-family homes at the density that's allowed under the Comprehensive Plan, we're required to come through the zoning process.

COMMISSIONER SHEA: Okay.

CHAIRMAN FRYER: Anything else? If not, thank you, Mr. Arnold.

MR. ARNOLD: Thank you.

CHAIRMAN FRYER: We'll hear from staff now.

MR. BELLOWS: For the record, Ray Bellows. I have worked on this project with our contract planner, Laura DeJohn, and I attended the neighborhood information meeting with this project and was aware of the concerns raised by the residents.

We worked with the applicant to try to come up with some options, and we have eight conditions of approval. The concept of RSF-4 -- a rezone from ag to RSF-4 is consistent and compatible with the adjacent zoning, which is also RSF-4.

The applicant agreed to make the lots larger than the minimum required for RSF-4 to be comparable and compatible with adjacent properties. Access is limited to Maple Lane.

And in regards to Condition No. 1, we will work to revise the language. And I think the intent was to clarify that the main project access is via Maple Lane and not Raintree.

MR. BOSI: And by the suggestion of County Attorney Mr. Perry, he suggested that maybe we -- the language be fortified to say, Raintree Lane shall not connect to and/or provide direct access to the subject property.

CHAIRMAN FRYER: That suits me. Yeah, thank you.

MR. BELLOWS: This project is consistent with the Growth Management Plan, and staff is recommending approval subject to those eight conditions as modified.

CHAIRMAN FRYER: Okay. I've got a couple of questions I want to ask, but before doing so, I want to compliment you, Mr. Bellows, and also Ms. DeJohn. The administrative procedures require that staff in attendance at the NIM act as facilitator, which has always been less-rather-than-more kind of a role. But you both did well in reminding people to identify themselves and to speak one at a time. So my compliments and thanks to both of you for doing that.

Now, the first -- no one is signaling, so I'm going to lead with a question. From my site visit yesterday, I observed that Cypress is a very narrow road, and I take the neighbors' concerns seriously about how cars -- when you add -- and I realize we're only adding an estimated 15 peak pm's, but still, it seems to me that without widening that road, it's going to -- it's going to put some bottleneck type pressure on the movement of traffic. And I'd like to hear staff's observations on that. I don't know if Mr. Sawyer's here or -- there he is.

MR. BOSI: Chair, looking at the aerial, Cypress Lane does not connect to Maple Lane.

CHAIRMAN FRYER: I meant Maple, sorry, yeah. Thank you.

Mr. Sawyer.

MR. SAWYER: For the record, Mike Sawyer, Transportation Planning.

Quite honestly, the roadways that are in this particular neighborhood are not dissimilar from other neighborhoods of a similar age. The roadways do tend to -- they're a rural cross-section where we've got a road that has swales -- stormwater swales on both sides. They do tend to be more narrow than the roads that we would currently build if we were doing neighborhoods, but they're not inconsistent with other similar neighborhoods.

CHAIRMAN FRYER: Okay. Thank you. And the additional 15 -- or 13 units keeps it within comparability/consistency with the other neighborhoods?

MR. SAWYER: Yes.

CHAIRMAN FRYER: Okay. Thank you.

Commissioner Vernon.

COMMISSIONER VERNON: Yeah, this is more just a curiosity question. I don't think it changes my thoughts on it. But are there any -- it used to be a nursery. Any environmental issues? Any cleanup that needs to be done? Anything like that?

MR. ARNOLD: No, sir. It was a pretty clean operation. They -- basically, it was a container-grown plant nursery.

CHAIRMAN FRYER: Commissioner Sparrazza.

COMMISSIONER SPARRAZZA: Thank you.

In referring to information that we had received via email regarding the width of the streets, if I understand this correctly, the current street is roughly 18 feet wide, and as we just heard, it's not uncommon for neighborhoods of that age to have this width of a road. But if we were building a neighborhood with -- I apologize. I don't know the exact number of everything that would be encompassed with the new expansion there -- what would the width of that street be required nowadays [sic]?

MR. ARNOLD: I'll try to answer. Jim Banks, who did our traffic analysis, analyzed the street after the neighborhood meeting, went out there to view the conditions

and measure the roadway. There's 20 feet of pavement, which is a standard width for your pavement for a local road. So it does meet that. It doesn't meet all your new local cross-sections, but none of those roads in this part of the community do nor those if you go across the street into Naples Manor.

When those were platted back in the 1970s, that's just how they were designed, rural cross-sections, and that's the functional road.

The 15 trips that are the peak hour do not have any real impact on the local road condition. It's a very, very small number, as you can imagine, the impact felt of that. I know what the neighbors think, but the reality is it's a very, very small number.

If you look at other local streets -- go to Golden Gate Estates, for instance. You have the same road condition of 20 feet width, and you may have 50 homes on that street that are accessing it. This community has, I think, 28 homes on it, currently. So I think well within a functioning ability for that local road.

CHAIRMAN FRYER: Commissioner Vernon.

COMMISSIONER VERNON: Yeah. I think this is more -- Randy's question is probably more for the county. As I understand the question -- and go ahead -- right behind you. Somebody wants to talk from the county, I think. So I think the question is, correct me if I'm wrong, if you were building a new road today for that type of area, how wide would it be?

MR. SAWYER: Yeah. Again, for the record, Mike Sawyer, Transportation Planning.

It would, in fact, be 20 feet in width. So you'd have two 10-foot lanes for a local road. In most cases, depending on, you know, how we actually put the road together, it may or may not also include curbing on both sides as well.

So when we've got a curbed section, then you also gain the width of that curbing portion, the concrete portion as well.

MS. ASHTON-CICKO: Mike, doesn't the narrower roadway -- isn't that a traffic-calming technique that the county uses to encourage lower speeds?

MR. SAWYER: It can certainly have that effect as far as encouraging lower speeds visually. We've actually taken -- in some neighborhoods as far as part of our traffic management program, we've actually narrowed lanes down to nine feet in width, putting two yellow lines down the middle with two side white lines. And, again, we've actually seen somewhere in some neighborhoods as much as a 20 percent reduction in those speeds. So, yeah, when you've got a narrower roadway, it does lower speeds.

COMMISSIONER VERNON: So, thank you, Heidi, for that comment. So if you built the new road, as I understand it, it wouldn't be much wider than it is right now.

MR. SAWYER: No. The change would possibly be that --

COMMISSIONER VERNON: Curb.

MR. SAWYER: -- we'd have curbing on both sides, which, again, whether you do a curb, it isn't just the concrete curb itself. You've got an apron that also goes with that to channel stormwater.

COMMISSIONER VERNON: How big is the apron?

MR. SAWYER: I would have to get back to you on that, Commissioner. I apologize. I don't have that right off the top of my head.

CHAIRMAN FRYER: Commissioner Shea.

COMMISSIONER SHEA: Well, are you done with Mike?

COMMISSIONER VERNON: Yeah, thank you. Thank you.

COMMISSIONER SHEA: I was just going to -- Jaime looked like she wanted to address Commissioner Vernon's environmental question.

CHAIRMAN FRYER: Ms. Cook.

MS. COOK: Thank you, Commissioner. Jaime Cook, director of Development Review.

As far -- our environmental code does require former agricultural sites, nurseries, and any sites that have hazardous waste to conduct an environmental assessment, including soil and groundwater testing, prior to approval of a Site Development Plan or a plat, whichever direction they choose to move forward with. So there will be additional testing.

COMMISSIONER VERNON: Right. And if there's any problem, it's actually going to improve the area.

MS. COOK: Correct. If there's any issues, it would have to be remediated. Thank you.

CHAIRMAN FRYER: Thank you.

No one is signaling at this time.

I have another question on the conditions, and this refers to Condition No. 6 having to do with wastewater. The sentence that begins with the word "whether" -- or whether or not such improvements, and it goes on to say, shall be determined during PPL or SDP review. And the sentence that follows it, certainly, is limited by the last phrase. It says, at the discretion of the County Manager or designee. But the previous -- the sentence that begins with the word "whether" isn't, and I think it should be. I think it should say shall be determined by the County Manager or designee during PPL or SDP. I mean, that's what's intended, right?

MR. BOSI: Correct, yes, sir.

CHAIRMAN FRYER: Okay. Would the applicant accept that language addition?

MR. ARNOLD: Can we confer on that for just one moment?

CHAIRMAN FRYER: Yeah, of course.

MR. ARNOLD: Yes, sir. We're fine with that change.

CHAIRMAN FRYER: Thank you.

All right. No one is signaling at this time. We've heard from the applicant, and we've heard from staff. Now would be appropriate to hear from members of the public.

Mr. Youngblood, do we have registered speakers?

MR. YOUNGBLOOD: Mr. Chairman, I have six registered speakers with us in the room. Our first one is going to be Katy Esquire [sic], followed by Kubra Akyuz.

CHAIRMAN FRYER: All right. And first we'll hear from Mr. Bosi.

MR. BOSI: When I arrived at my office this morning, I have an interoffice mail, and within the interoffice mail was correspondence from the second speaker, Mrs. Akyuz, that it was basically a 17-page submittal and 85 signatures signed by the Myrtle Cove Acres homeowners, property owners, taxpayers, and registered voters opposing the petition. And I wanted to give this to the court reporter to enter into the record.

CHAIRMAN FRYER: Thank you. Members of the Planning Commission, do we want to hear more about that before it goes into the record?

COMMISSIONER SHEA: I would like to.

MR. BOSI: The second speaker was -- provided this, so I think she'll be able to expand.

CHAIRMAN FRYER: We'll allow the second speaker time to explain it or read it or whatever she wishes to do.

All right. Who's the first speaker again, Mr. Youngblood?

MR. YOUNGBLOOD: First speaker is Katy Esquire.

MS. ESQUIVEL: My name is Katy Esquivel, and --

CHAIRMAN FRYER: Come on up. We can't -- unless you're standing at the mic.

MS. ESQUIVEL: I apologize.

CHAIRMAN FRYER: That's all right.

MS. ESQUIVEL: Good morning. My name is Katie Esquivel, and I was actually going to ask if I could switch places with the Akyuzes, who have provided the packet of materials to the Commission so that their materials that they've worked hard to gather and present could be presented before my comments, questions, and concerns.

CHAIRMAN FRYER: Without objection, granted.

MS. ESQUIVEL: Thank you.

MS. AKYUZ: Hi. I actually have copies.

CHAIRMAN FRYER: Let's hear from -- who you are.

MS. AKYUZ: My name is Kubra Akyuz. I live on Maple Lane. Between my parents and I, we have multiple homes there. I do have copies for you guys, if you would like, with the signatures and the letters that was provided by the neighbors.

CHAIRMAN FRYER: How long is it?

MS. AKYUZ: It is about 13, 14 pages. The signatures alone are six pages.

CHAIRMAN FRYER: Planning Commission, what's --

COMMISSIONER VERNON: I'll take it. I mean, I may not be able to read it all, but I'll take it.

CHAIRMAN FRYER: Okay. Please distribute it then. And the court reporter has a copy?

THE COURT REPORTER: (Nods head.)

MR. YOVANOVICH: Could we have a copy?

COMMISSIONER VERNON: Do you have a copy for the applicant?

MR. ARNOLD: Mr. Chairman, may we also obtain a copy of that?

MS. AKYUZ: I made seven copies.

MR. ARNOLD: Thank you.

COMMISSIONER VERNON: The applicant has a copy?

CHAIRMAN FRYER: You do?

MR. ARNOLD: Mr. Bellows just provided us a copy of his copy.

CHAIRMAN FRYER: Okay.

MS. AKYUZ: Within the packages, you will see about 95 percent of the households between the three streets on our neighborhood. They are all against it, and the 5 percent that I was not able to reach is either -- are snowbirds or they are not -- there are not homes on them. They're empty lots.

We are -- as I've also provided on the package, my house is known as the house that gets flooded. Every heavy rain, my house actually gets over a foot of water in it. And I was on the news, WINK News, that was, you know, recorded showing how much

water I have on my house.

With this many houses going in -- I know he says he's going to control the water, but we don't -- to be perfectly honest, we do not believe it. We do not think he's going to be able to control that many houses' water not coming into our street.

Additionally, we bought this neighborhood -- we bought a home in this neighborhood because it's cute, it's small, it's quiet. And we barely fit ourselves. The roads are so narrow that two cars at the same time cannot go through.

So he has no intentions of fixing the roads, widening it, and having two cars fit at the same time. If 15, 16 additional homes goes through and we're barely fitting through right now, what is going to happen then? Are we not going to be able to get out of our house at the traffic time?

I'm just -- I understand he wants to build homes, but we as a community think 13 -- 16 is too high of a number. If you could go lower on the numbers of the houses, maybe we all could come into an agreement.

CHAIRMAN FRYER: Thank you. Have you just basically summarized this material, or is there more?

MS. AKYUZ: I basically summarized the material.

CHAIRMAN FRYER: Okay. Thank you very much. Thank you.

Do you have more to say, ma'am?

MS. AKYUZ: No.

CHAIRMAN FRYER: Okay. Thank you, Ms. Akyuz. Thank you.

Next speaker, please, Mr. Youngblood.

MR. YOUNGBLOOD: Next speaker is going to be Katie Esquivel followed by Tiarra Arthur.

MS. ESQUIVEL: E-s-q-u-i-v-e-l.

CHAIRMAN FRYER: V as in Victor?

MS. ESQUIVEL: Yes, sir, good morning.

CHAIRMAN FRYER: Thank you.

MS. ESQUIVEL: First I'd like to thank Commissioner Vernon for your apology for being late. As a fellow member of the profession, we all understand the value of time.

The proposed rezoning of this unit or of this piece of property, frankly, is inconsistent with this community. These are three cul-de-sacs. We moved here eight years ago to have a safe environment for children, families, pets, pedestrians.

The addition of this project will fundamentally change the character of our neighborhood. It will increase traffic. There is already huge problems with stormwater. There's currently a project at the corner of Tamiami Trail and Raintree Lane that is a commercial development. We've noticed a substantial increase in stormwater collections since that project went up. This project, which is at the other end of Raintree Lane, will further -- I believe, further exacerbate those problems with stormwater collection and drainage.

Right now we constantly have standing water with small storms, and I expect that to further continue if this project proceeds forward.

Furthermore, as other residents have expressed, the roads are not equipped to handle this additional traffic. Maple Lane, as we stand here today, has 28 units on it. An additional 13 units will effectively increase traffic by a third. There is currently not enough room on Maple Lane for two cars to pass by one another without one going into

the grass or the side of the road so that the two cars can pass one another. That's assuming that there's no child walking down the street. That's assuming there's no pedestrians exercising. There are lots of people who walk, ride bikes, do all kinds of exercise early morning or after dusk. And I firmly believe that this will pose a safety hazard to the community. These three cul-de-sacs are used by the community. There's heavy pedestrian traffic.

And, in addition, I think there will be a huge problem with emergency services gaining access to this proposed development because there is simply inadequate access. There is inadequate roadways for emergency vehicles.

Now, I understand that emergency management has reviewed this and has approved it, but there are places along Maple Lane where the roadway is 19 feet, 2 inches. It is not the full 20 feet that is proposed by the site plan.

I would also direct the Commissioners to the letter that was submitted within the packet by Dr. Mitchell and Dr. Keira Lucas. I think this letter, in particular, really summarizes the concerns of the neighborhood. Grady Minor came in. We had a community informational meeting. The concerns of the residents were, in large part, discounted. We were told that, like it or not, Grady Minor is going to come in, and this project is moving forward. This was said by Mr. Arnold himself in response to uproar by the community at that informational meeting.

I would also just simply make this statement that it is the responsibility of the Planning Commission to balance not only the needs of the existing homeowners but clearly, obviously, the needs of Collier County as we have a need for more affordable housing and more housing within the county. This is not going to lead to more affordable housing. This is a project that will simply lead to more traffic, more problems for three cul-de-sacs that are a very nice little neighborhood. It will fundamentally change the character of our community and, frankly, a community that we moved to because it's a little isolated area where I know that my nine-year-old can ride his bike, can walk on the sidewalk, we can walk our dogs, and we're not concerned about getting run over by a car.

We are also on Raintree Lane. I have serious concerns that once construction begins -- I heard everything that was said earlier -- that once construction begins, Raintree will be used as a means of ingress and egress for construction vehicles. The prior property owner used it primarily for their landscaping trucks to come and go using Raintree Lane. It was -- it is not blocked off. There is no physical barrier between Raintree Lane and this property.

And I'm a believer in the concept of, you know, you give an inch, and people take a mile. And if Raintree is used for ingress and egress during construction, it will certainly be used by residents once this development is built, which will then create a problem not only for Maple Lane but also for Raintree Lane.

And those are the grave concerns that I and, as you can see, you know, I believe the total is 97 homeowners between the letters and signatures have all expressed as their concerns to this project.

CHAIRMAN FRYER: Thank you very much.

Commissioner Vernon.

COMMISSIONER VERNON: Yeah, thank you for that.

You say -- I believe I heard them say they're not going to use Raintree for ingress or egress during construction, so that's what I heard them say. And I understand there

may be a little distrust. But my thought process is they're using Raintree during construction. That actually relieves pressure onto Maple Lane during construction. So even if they do, it seems to alleviate your concern with respect to Maple Lane. It just moves it. But still it moves it away from where you're pushing us to protect.

And then I think I saw that they are going to create a buffer, landscape buffer, so I don't think there's any ability -- assuming they follow the plans, there's no ability for anybody to use Raintree Lane for ingress or egress after construction. But again, even if they do, it seems to relieve pressure on Maple Lane. So I'm not sure the point -- I'm just telling you my thought process in listening to you. So what are your thoughts based on what I just said?

MS. ESQUIVEL: Well, I live on Raintree Lane.

COMMISSIONER VERNON: Ah, that's my mistake. Now I understand.

MS. ESQUIVEL: I live on Raintree Lane and, you know, frankly --

COMMISSIONER VERNON: Yes.

MS. ESQUIVEL: -- when the landscaping company was there, my house would vibrate at 6:00 in the morning as they're rolling on out.

COMMISSIONER VERNON: Okay.

MS. ESQUIVEL: And with a commercial -- or a residential project of this scale, we're looking at a substantial period of time where we will have roofing nails, we will have construction debris, we will have laborers, we will have people loitering on Raintree Lane where my family lives and is accustomed to a quiet, nice standard of living, which is exactly why we bought on Raintree Lane.

COMMISSIONER VERNON: So I understand. Thank you for -- I wasn't listening to that part. And I understand you're trying to protect the whole area.

MS. ESQUIVEL: Certainly.

COMMISSIONER VERNON: But if they do not use Raintree Lane for construction and they have a buffer after construction or even before construction, then the pressure on Raintree Lane would be limited to the commercial area at the very front. It would not enter, because there's no way -- if they create that buffer and if they don't use it for construction, there's going to be no additional traffic on Raintree Lane other than the commercial area, correct?

MS. ESQUIVEL: Presumably, but that also discounts the problem of stormwater, so...

COMMISSIONER VERNON: No, I was just -- I'm just talking about traffic.

MS. ESQUIVEL: Yes.

COMMISSIONER VERNON: Am I correct?

MS. ESQUIVEL: I agree with you on traffic.

COMMISSIONER VERNON: Okay. And then with respect to flooding, what is your -- and you may not know this specific, but what is your understanding of the change they made or asserted they made to the plans based on the NIM and based on the flooding concerns? They did -- they represented that they revised their flood protection plan. Can you speak on that and your thoughts on that and whether you think it will do any good.

MS. ESQUIVEL: Frankly, I have a high level of distrust. There has been many projects where stormwater has been said that it is addressed, it will be mitigated, it won't have an impact on the community, and I'm sure that everyone here who lives in the neighborhood can say that stormwater collection has only gotten worse. As different

projects have developed, the project at the corner of Raintree and Tamiami Trail, stormwater collection is only getting worse. It is not getting better.

COMMISSIONER VERNON: And I heard -- when you said that the first time, I heard it loud and clear.

MS. ESQUIVEL: Okay.

COMMISSIONER VERNON: So I understand that. But specifically with respect to this project, after the NIM, they asserted they made proposed changes to the flood protection. I'm calling it flood protection. What are your thoughts or your team's thoughts, the group of objectors, on that change and whether it made it better, it's neutral, or if anybody on your side looked at that?

MS. ESQUIVEL: I'm here by myself. I certainly know by name my neighbors. We haven't had a caucus.

COMMISSIONER VERNON: Have you looked at that?

MS. ESQUIVEL: I personally have not looked at that; however, I will say that given the tenor of the community discussion regarding this project, the informational meeting, we were told by Mr. Arnold that this was going through. Community input or not, this is happening. And so for me, I have a huge level of distrust that those mitigation measures will, in fact, have the effect that they're claimed that they will have.

COMMISSIONER VERNON: And then going to the traffic issue, I heard what you said about pets and children and your child. I understand. But we heard from the county that sometimes the narrow roads is actually a traffic calming.

MS. ESQUIVEL: It doesn't. And the analogy was made with Naples Manor. Naples Manor, those streets are through streets. So even though those streets are the same width or similar construction, those streets all are cut-throughs to other streets. These three streets, Maple, Raintree, and Cypress, these are all cul-de-sacs. It's a fundamentally -- it's comparing apples and oranges. It is not the same thing.

And I, frankly, don't think that emergency vehicles are going to be able to get to this property, this development, in a safe way without gaining access to Raintree Lane or other streets. It's simply not feasible.

There was a commercial vehicle -- stormwater project that's currently taking place where they're hooking up water connection at the corner of Tamiami Court and Raintree, and a large pickup truck with a trailer had to make a multi-point turn in order to navigate that turn from 41 down Raintree, taking that left onto Tamiami Court.

So for the concept for a fire truck, EMS, to be navigating that at a high rate of speed in an emergency, I just don't think it's feasible that that's going to happen.

COMMISSIONER VERNON: Thank you. Thank you. Thank you, Mr. Chairman.

CHAIRMAN FRYER: I have about three follow-up questions and comments to ask. First of all, I'd like to hear Mr. Perry's language again on No. 1. We may want to put some more meat on it.

Mr. Perry, do you have that handy?

MR. PERRY: As currently stated, it says, Raintree Lane shall not connect to and/or provide direct access to the subject property.

CHAIRMAN FRYER: Okay. Maybe we want to add a little something. Mr. Yovanovich or Mr. Arnold, a question or two about, what can the applicant do to assure that there won't be construction traffic on Raintree and that there won't be an easy

way for automobile traffic afterward to use Raintree to access the development.

MR. YOVANOVICH: We certainly can add -- oh, for the record, Rich Yovanovich. We certainly can add to that condition that Mr. Perry wrote that we would be prohibited from using Raintree as construction access to the west of -- yeah, west of Tamiami Court. So we can add that condition.

With regard to people going to the development, there's only 13 homes there. I think they're going to understand how to get to and from their home and not use Raintree. So I can't imagine that there's going to be a lot of people going down Raintree realizing they can't get home and going back down Raintree to go over to Maple. So I don't see that as a real issue. We'll address a lot of her comments in our rebuttal. But with regard to the construction traffic and traffic using Raintree, I think it's -- it's a nonissue.

CHAIRMAN FRYER: Explain to me how buffering, as a practical matter, will keep automobile traffic after construction from attempting to make that connection on Raintree.

MR. YOVANOVICH: You would have to physically drive through the buffer, through someone's backyard to try to get to your home. I just don't think that it's logical.

CHAIRMAN FRYER: Okay. I wanted to make a record on that. Thank you.

That was my first question, and we'll add the prohibition and maybe mention the buffering as well to deal with after construction.

My second question on Condition No. 3 with respect to the 25-year, three-day storm event. And if you're the proper one, Mr. Yovanovich, fine, or else someone else. But I would like to hear the details of exactly what is going to be done to mitigate the flood potential and to satisfy the requirements of this condition.

MR. YOVANOVICH: Do you want that now, or do you want it as part of our rebuttal? Because we were going to --

CHAIRMAN FRYER: Well, let's hear it now.

MR. YOVANOVICH: Whenever you prefer. We were going to bring our engineer up and have a professional address that.

CHAIRMAN FRYER: Is the engineer here right now?

COMMISSIONER SHEA: Yeah, because that was where I was heading, too, is, is the existing problem a result of the control gate?

MR. YOVANOVICH: I'm going to let someone more qualified than me answer that.

CHAIRMAN FRYER: That's fine. Let's do that.

MR. DELATE: Good morning. For the record, I'm Mike Delate with Grady Minor Engineers. I've stormwater management in Collier County for over 25 years. And this is not a unique situation.

So currently the site is that existing agricultural landscape operation which has no water management system. So in a heavy rain event, of course, it's going to go where the path of least resistance is and probably try to head toward the canals. But if there's berms up to the north area, it would shed off then toward the east towards residential area. I've not been there in heavy rains. I just suspect from the topography that that's been happening.

So with the proposed plan and what's required under Water Management District rules and Collier County rules is that we design to a 25-year storm event, a three-day storm event, which is about 11 and a half inches, roughly, of rain.

CHAIRMAN FRYER: That's what I'd like to hear more about. How exactly do you do that?

MR. DELATE: So what we do is model that rain event over the entire site; that includes the impervious area of the proposed homes, the roads, sidewalks, driveways, all that, and then we have a proposed water management basin that's going to hold that water. It's going to detain it for a specified amount of time, and its discharge rate is limited by a Collier County ordinance. So we're only allowed to discharge so much water off site.

And in this case, as Mr. Arnold alluded to, that's going to be discharged south to the canal down there, which is downstream from the weir. So it's not going to hold any water back up in this area. It will slowly bleed down in that area. So in order to accomplish that, we have to build up a berm around the water management basin, up at the peak stage of that 25-year storm event, plus a little bit of freeboard that's built up in there. So no water can get out off the site except through the regulated, what they call, control structure which discharges that water south to the canal.

CHAIRMAN FRYER: So no matter where the water is on your site, it's going to have to go through this discharge basin?

MR. DELATE: That is correct. It will be piped over to that basin. The water's contained within the basin, and then it bleeds out through this control structure south.

CHAIRMAN FRYER: And then tell me again where it goes from there.

MR. DELATE: So it will bleed down -- I'll just show you on the aerial here. So what we're proposing is a water management basin back in this area with a pipe down into the canal down here. So here's the weir over here. The water in the canal flows this way, so it's retained at a higher elevation back here. We're discharging to the southern part of the canal with a lower control elevation so water can go this way, south. So it doesn't -- there's no chance of it backing up.

If it was discharged into the canal up here, it could, we could say, potentially add some additional flow to this canal, and it could overflow back into other areas. But we're not. We're descending it south. This canal is designed to handle all this water from this entire area plus, of course, a larger basin up north. So it's a rather large canal. It's all maintained by Collier County as part of the LASIP program.

And as Mr. Arnold alluded to, we've coordinated with Collier County stormwater extensively on this. You know, I have my own concerns. When I design things, I want to make sure we're not going to flood anybody. And as I've said, I've designed for over 25 years, and I would follow that same protocol.

So assurances, as we go -- as the contractor completes the work, we're there inspecting it. We have to certify it to Collier County, Collier County inspects it, and then there's also an operation requirement as part of their homeowners association documents to maintain the system in proper function.

CHAIRMAN FRYER: Thank you. Okay. That helps me.

Question for staff. I'm just going --

COMMISSIONER SHEA: Can I ask a question for him before he goes?

CHAIRMAN FRYER: Of course, yeah.

COMMISSIONER SHEA: What do you think causes the existing problem, while you're looking -- I don't know where it is, but to me when somebody says on the reasonably mild storm I got an inch of water in my house, I got a big concern.

MR. DELATE: Just knowing the area in general, it's relatively low compared to

what you have to construct to today. And I'm not diminishing anybody's property or property rights or whatnot. It's just that's the nature of the beast in this part of Collier County. It's just a lower area. So it doesn't take a lot of rain, unless the site's been filled up, to experience some ponding conditions. And it's -- it's all throughout this area. It's not just this area.

COMMISSIONER SHEA: So you're collecting all of the stormwater that lands on this property, you're storing it up for a 25-year storm, and there's no other water coming onto the property from adjacent lots. Either -- you're isolating your water collection; there's no other water that you have to account for from other properties?

MR. DELATE: Yeah. And we'll investigate that. We haven't gone deeply into how -- if there's any water coming from the adjoining lots, we have to convey that around the property.

So if it is present, we haven't gotten to that detail of analysis. We'll add some conveyance system to watch that water and run it to the south as well. We just haven't gotten to that depth of the analysis yet.

COMMISSIONER SHEA: What's the difference in elevation across that control weir?

MR. DELATE: I don't know specifically.

COMMISSIONER SHEA: A couple of feet?

MR. DELATE: I think it's at least one or two feet.

COMMISSIONER SHEA: Okay.

CHAIRMAN FRYER: Anything else?

COMMISSIONER SHEA: No.

CHAIRMAN FRYER: Thank you.

I'm going to finish up, if I may, and then call on the other commissioners.

The witness mentioned emergency vehicles, and I'd like to know -- and also it was mentioned that Collier County Emergency Management has reviewed and approved this. Mr. Summers' group, I assume.

MR. BOSI: (Nods head.)

CHAIRMAN FRYER: My question is -- and this is in the Greater Naples Fire Protection District. Did they also sign off on this? Is this part of the process?

MR. BELLOWS: For the record, Ray Bellows.

We do route this to fire review as well.

CHAIRMAN FRYER: So they have an opportunity to weigh in if they want to?

MR. BELLOWS: That's correct.

CHAIRMAN FRYER: And they didn't?

MR. BELLOWS: That's correct.

CHAIRMAN FRYER: Okay. Thank you.

And my last question, I'm going to ask Mr. Arnold, please, to approach. And with the utmost respect for a fine gentleman, nonetheless, I think you overstated your position at the NIM when you were saying "when" we get this rather than "if" we get it. Wouldn't you agree that maybe you didn't use the right words?

MR. ARNOLD: Well, I think it was in the context of the objectors asked if we would, because of the outcry, stop the project, and my answer was, no, we're going to continue on through the process, and that was my intent. Not to say "when," but it certainly implies "if." It's certainly up to you and four county commissioners to approve

the project.

CHAIRMAN FRYER: I just wanted it to be --

MS. ESQUIVEL: That was not your statement, sir.

CHAIRMAN FRYER: No. And that wasn't his --

MS. ESQUIVEL: That was not his statement and nor was that the context.

CHAIRMAN FRYER: Ma'am, thank you. I realize that, and I wanted to give him a chance to reconsider, because that wasn't exactly what you said, but I accept your clarification.

MR. ARNOLD: Thank you.

CHAIRMAN FRYER: So thank you.

Mr. -- Commissioner Sparrazza.

COMMISSIONER SPARRAZZA: Thank you.

I'd like to ask the county a question or a favor since we have heard and seen by the information that was given to us, is there something we could do to investigate kind of as a neighbor-to-neighbor gesture for this area on the flooding? I am certainly not an expert. Is it something that we could go through and make sure that the storm drain areas are cleared of debris inside? Is that something that might help the unfortunate flooding area that takes place on Maple Lane, I believe; is that correct? Yes -- is -- to possibly alleviate some of this, then with the assurance that we have from the developer that they're going to take care of their flood -- their land that they're developing to minimize any flood. If we're able to help clear up, if possible, something that's going on on Maple, maybe Raintree, and even Cypress.

CHAIRMAN FRYER: Ms. Scott.

COMMISSIONER SPARRAZZA: Can we all come out winners on this? I don't know if I'm out of bounds here, but...

MS. SCOTT: If I may, I was not sworn in prior to this. It was unanticipated.

CHAIRMAN FRYER: Let's get you sworn in.

(The speaker was duly sworn and indicated in the affirmative.)

MS. SCOTT: I do, thank you.

For the record, Trinity Scott, department head, Transportation Management Services.

We don't have a mechanism of requiring the developer to go and investigate the stormwater management system or lack thereof within the existing development.

COMMISSIONER SPARRAZZA: I'm sorry. I didn't expect the developer to do that. I was actually asking, is it something the county can do since it's been there for 20, 25 years?

MS. SCOTT: Absolutely. So we have a managed stormwater system, and the county does maintain our system. What we do have is several areas similar to the conversation that you had about roadways, is developments that were built several years ago where water management standards were not as they are today. We have more modern water management systems.

So when I hear there's water sitting next to the road for multiple days after a storm, these roadways were actually designed to have an open drainage system. So water sitting in a swale or water sitting adjacent to the roadway is not typically of concern to us; however, when we start talking about water in structures and things of that nature, anytime we get a call about water in structures, we -- or close to structures, we send our stormwater

management folks out. They assess the area.

And so if this is an area that has a history, when there's a storm event, we are out there watching those areas specifically. So we go ahead of time, making sure there's no blockages, et cetera. But the fact of the matter is, older neighbors without a modern stormwater system that this new neighborhood would be required to build, we do have issues with standing water at times, water over the roadways, et cetera.

COMMISSIONER SPARRAZZA: Great. Thank you.

COMMISSIONER SHEA: As a follow-up to the question -- I thought that was a good question -- is while you're -- not you. But while the applicant is designing the stormwater, maybe there's something they could do of very minimal cost that might help alleviate an existing problem. I don't want to -- I guess maybe an inch of water in somebody's house on a regular basis doesn't seem like -- I can't believe you haven't heard of it unless that's not the case.

MS. SCOTT: I'm not saying that the county hasn't heard of it. Me, specifically. I'm sure our operations folks are aware of it. And in, like I said, this specific area, similar to Naples Manor across the street, U.S. 41, Rattlesnake, the Hawaii Boulevard area, we have consistent areas where roads will go under water because they do not have a modern stormwater management system.

As I said, from a county perspective, Mr. Delate did indicate that once they get into their permitting and the Water Management District will review their permit, any existing stormwater that flows through this site, they will certainly have to accommodate and -- so historic flows. But there's not a mechanism for me to say to them, go modernize the entire stormwater management system within the adjacent neighborhood that wasn't built -- I'm sure was built to code at the time when it was built.

COMMISSIONER SHEA: So as sea level continues to rise -- whether you believe it or not, it probably will -- there's a whole bunch of people that are kind of stuck on their own is what you're saying.

CHAIRMAN FRYER: Ladies and gentlemen, pardon me for interrupting. But we're at the time when we need to take a midmorning break, and when we come back, we will pick up exactly where we left off. And so we stand in recess until 10:41.

(A brief recess was had from 10:31 a.m. to 10:41 a.m.)

MR. BOSI: Chair, you have a live mic.

CHAIRMAN FRYER: Thank you.

Let's reconvene, ladies and gentlemen.

Mr. Youngblood, who is our next registered speaker, sir.

MS. SCOTT: If I may, Chair -- Chairman?

CHAIRMAN FRYER: Well, what more do you have to say, ma'am? I mean, you --

MS. ESQUIVEL: I just had three very small points, and then I will --

CHAIRMAN FRYER: Go ahead.

MS. ESQUIVEL: -- sit down and be done.

CHAIRMAN FRYER: Go ahead.

MS. ESQUIVEL: My points were this: With the -- we were talking a lot about stormwater and drainage. If I may, this is Raintree Lane. This is Maple Lane.

CHAIRMAN FRYER: You're going to need to be on mic. I know it's difficult to do both things.

COMMISSIONER VERNON: There's a pointer.

MS. ESQUIVEL: Oh, you can see it.

COMMISSIONER VERNON: I see it.

MS. ESQUIVEL: The flooding collects on both sides of Raintree Lane as well as in the area between the property lines between Maple and Raintree. Additionally, the property that is being proposed for rezoning is used for water to flow out of this whole Myrtle Cove Acres. That is where water floods out of and goes into the surrounding waterways.

We have had two new homes built on Raintree Lane at a higher elevation. With simply two homes on our street, the water collection and the poor drainage has been significant. There has been a noticeable difference.

So by virtue of developing and raising these five acres, not only will it block off an existing means of water egress, but it will also raise the elevation of where our water is supposed to flow out of. So that is a concern that I would respectfully ask that the Commission keep in mind in evaluating this.

CHAIRMAN FRYER: We will ask the applicant to address that specific question in rebuttal. Anything further from you, ma'am?

MS. ESQUIVEL: My last one was that in the conditions of use of Raintree Lane, it currently says direct -- they will not use direct access to Raintree. I would respectfully request the addition of the language "direct or indirect use of Raintree for ingress and egress to this project."

CHAIRMAN FRYER: Well, my only concern about doing that would be that they could take Raintree in and then take Tamiami Court over to Maple.

MS. ESQUIVEL: Raintree after the intersection with Tamiami Court, to be specific.

CHAIRMAN FRYER: Okay. We'll make that change.

MS. ESQUIVEL: Thank you very much. I appreciate your time and your consideration.

CHAIRMAN FRYER: Thank you.

Yes, ma'am.

MS. SCOTT: If I may, Chairman, once again, for the record, Trinity Scott. You know I was saved by the bell. I was actually able to go back and talk with my operations staff, my stormwater maintenance manager so I could get some more information specifically about this area. So, yes, they are aware of this area and, specifically, Raintree.

In the fall of last year, we actually made improvements at the end of Raintree. And you'll actually see it; on the end of the cul-de-sac, you see a little "L" on the aerial that's actually up here. Oh, yeah. Can you guys see my pointer there? And so they made some improvements in this area to help alleviate that area to get the water to the existing canal structure.

Certainly, as Mr. Delate indicated, they will have to deal with anything that is historic flows that go through the site, and as they go through their permitting, they will assess that.

The other item that my stormwater maintenance manager indicated is that we have a couple areas of what we call hot spots, older communities built when water management standards were different.

So if we anticipate -- we watch the weather all the time. If we anticipate that we're

going to get a rain event, we are out there, we are looking, we are watching it during -- before, during, and after, and this is one of those hot spot areas. But they have gone through the stormwater system, and they've indicated that there are no blockages within our existing system.

CHAIRMAN FRYER: Okay. Thank you, Ms. Scott.

MS. SCOTT: Thank you.

COMMISSIONER SPARRAZZA: Thank you. That actually answers my questions of has there been a recent review particularly on the Maple Lane area in question, and I appreciate finding those answers in the last 10 minutes.

CHAIRMAN FRYER: Thank you.

Mr. Youngblood.

MR. YOUNGBLOOD: Mr. Chairman, our next speaker is Tiarra Arthur, followed by Troy Wilson.

CHAIRMAN FRYER: Thank you.

MS. ARTHUR: Good morning. Tiarra Arthur. I also have documentation that I made copies, with the help of Mr. Youngblood, that I'd like to submit to you guys with photographic evidence of a certain area of my personal concern regarding roadways. Can I submit this to you?

CHAIRMAN FRYER: How many copies do you have?

MS. ARTHUR: I have seven and, electronically, I sent Mr. Bellows and Mr. Sparrazza one last night as well as Mr. LoCastro and his aide. But I wasn't aware that I had to bring several copies physically.

CHAIRMAN FRYER: Well, we need one for the applicant.

MS. ARTHUR: Yeah. He can have mine. That's -- can I read it first?

CHAIRMAN FRYER: Go ahead. How long is it?

MS. ARTHUR: It's within the three minutes that I --

COMMISSIONER VERNON: Randy printed it. So you should have enough for us. You can hand it out now, if that's okay.

CHAIRMAN FRYER: Yes.

COMMISSIONER VERNON: And hand one to the applicant now.

MS. ARTHUR: Sure.

COMMISSIONER SPARRAZZA: I have one. Thank you.

CHAIRMAN FRYER: Thank you. And the court reporter has one?

MS. ARTHUR: I think I have enough copies, too, for her.

CHAIRMAN FRYER: Good.

MS. ARTHUR: All right. Many of my fellow neighbors, and myself included, we do live on Maple Lane, and a few of us do live on Raintree. My property and my husband's property is the one adjacent to this property. It's not just one lot; it's two lots.

So we're being negatively impacted completely to this. I am writing this or stating this and providing that printed copy to you because I do understand the value of living in Collier County and the growth that's needed here.

But it is super important for myself, a homeowner, and our properties on Myrtle Cove in variance -- emphasizing Maple Lane at this point. It is extremely small, and it's one of the primary reasons so many of us have purchased that property, because having a young family, children are involved here. There's many kids on this street.

There's super far and few comparable neighborhoods. A three-street neighborhood

is not typical in Collier County; it's not. So when we are communicating with each other, we have telephone numbers. We call each other by name. We wave. When we're passing each other, it's just out of sheer respect for the other oncoming vehicle when we get out of the way.

Do I understand that with new homeowners that they'll probably do that as well? Yes, but there is a safety concern.

I would like to really be invested in the project going forward to make some changes to our neighborhood, not just with their property, but with our community that we are all going to be living in. Nobody only primarily stays on their street. This neighborhood, we go from Raintree, Cypress, Maple because it's all connected, and it's safe.

I would really highly recommend decreasing the number of units. When we say 13, it doesn't really stick with a percentage of an increase. There's going to be an almost 50 percent increase in homes on a street. Fifty percent these days, if you go to a gas station and you are hit with a 50 percent increase, your eyes widen. A 50 percent change on anything is very alarming.

So with a rudimentary formula of percent of change, using the current home values, which is actually 29, including Mr. and Ms. Wilson's, it's not 28; it's 29 on our street. The addition of 13 will increase that with a dramatic 45 percent increase. I would personally like to see growth happen in our community. There's only one vacant lot on Maple Lane. That already says we're at a volume capacity.

Moving on, the layout of the plot -- of the T-shaped neighborhood that is designed, there is going to be five homes that will be perpendicular to our house and our lot as well as six to Mr. and Mrs. Wilson. That is a very alarming privacy issue for myself who do have children, who do cherish their backyards. We're now going to have direct eyes from several homes looking and peering into our neighborhood. I am very happy to hear that he is going to be putting in a natural barrier, because there is one in existence. The next question to that is the environmental impact on what they're actually going to be removing and planting in replace [sic] of that.

Going forward on the second page, with the roads being at such a limited passability rate -- there's photos. So on the majority of Maple Lane, there's no curbs, and so that gives the freedom for vehicles to go to the grass; however, at our property, there's a tapered curb where there's an actual culvert that leads from both sides of Raintree to enter the canal. That tapered area is less than 18 feet in some places. So I took two photos and provided that for you guys to really check. Anybody who's passing in that area is going to damage their vehicles; it's just going to happen. If there are kids going back and forth, I am afraid for my -- safety of my children.

Moving on to some of the items, if none of this is in negotiability for their project going forward, because at this point they have not said anything in regards to increasing the community effect, I would recommend streetlights for safety purposes. As we know, that I -- growing up, I did live on Trail Acres, and when Treviso Bay used that as an entrance, they added sidewalk, they added curb appeal, and they added lights for their residents in order for it to be a much safer community. I would recommend that as well.

The next item would be if roads are not getting widened, speed bumps would be the highest effect. Speed bumps will help myself and my neighbors included. We are best friends with each other. We have a group of six kids that nightly go out to ride their

scooters. There are -- there's a speed limit of 25 miles per hour with a roadway width of 18 with kids on the side of the road, some being in diapers and under three years old of age. People are not abiding by that.

And, yes, I do agree that curbs would help decrease the speed limit, but so would speed bumps, and it would be definitely something that would slow, physically, the vehicles down.

The last item that I do think that would be very helpful is creating a turn-in lane on either location. There is a current turn-in lane to the pawn shop to the construction plaza. That's currently happening, but we do not have one in either entry from 41 to Raintree or on Cypress. It's a daily fear anytime that you enter our neighborhood to be getting rear-ended, even with a blinker light on or any of that nature. There's not any other neighborhood that I can think of on the top of my head with going into forward with a 50 percent increase in residential on one street. That's a fact.

CHAIRMAN FRYER: I'm going to ask you to wrap it up, ma'am.

MS. ARTHUR: That's it. Thank you so much, and thank you for taking the time to hear our concern.

CHAIRMAN FRYER: Thank you.

Next speaker, please, Mr. Youngblood.

MR. YOUNGBLOOD: Mr. Chairman, our next speaker is Troy Wilson.

MS. ARTHUR: Oh, there's no questions?

CHAIRMAN FRYER: Apparently not.

MS. ARTHUR: Okay. Thank you.

MR. YOUNGBLOOD: Troy Wilson will be our next speaker, followed by William Bennett.

MR. WILSON: Hello. I'm Troy Wilson. My wife and I have the five acres just beyond this tract.

And the first thing I would like to address is the stormwater management. There's been some things said that aren't accurate.

To address Mr. Shea's concern, you know, about the weir, there is no weir there. It's a free-flow of water underneath of a pump station. It's just like having a bridge there. So there is no weir there, but I do appreciate Mr. Arnold's attempt, you know, to do something, you know, for our concerns about the watershed from his property. He could go out either end of the property, and it's going to be the same. So whatever works best for him.

Now, during Hurricane Ian, the problem isn't with his property. The problem is with Collier County's water management plan. It does not seem to work. Everything comes underneath -- from Naples Manor underneath 41, and it comes into that canal, which goes around three sides of my property and bottlenecks. There's nowhere for it to go. Before Treviso Bay went in, right at the corner of my property the creek ran right on out to the saltwater, which government is shutting off all the time to keep all the pesticides and what have you out of the saltwater. So now here we have a pump station that the county does not use.

CHAIRMAN FRYER: Sir, you're welcome to use your time the way you want, but I just wanted you to know that we don't have jurisdiction to do anything about that.

MR. WILLIAMS: Well, the problem that I want addressed is Collier County's responsibility. As you mentioned earlier about -- you know, when you had the lady up

about the flow through the neighborhood, you know, what's -- before you approve something like this, what is your responsibility for the roads, for water management? You know, you do have a responsibility here. So you need to address this before you approve any new housing in our community.

So, yeah, somebody -- before Hurricane Ian, they didn't run the pump stations. They didn't run the water down. They didn't run the pump stations during the hurricane at all. So you've got a 19-inch pump and a 24-inch pump that pumps it into cypress heads in Treviso Bay; otherwise, it bottlenecks, and there's nowhere for the water to go. So it doesn't matter what you do to these ditches up the streets or on his property if there's nowhere for the water to go. So that needs addressed with Collier County.

Now, the other thing -- the other concerns I have with your project, Mr. Arnold, is on the property lines, what will we done? Fencing? Vegetation? On the -- you know, the back of the two adjoining properties, how will that be addressed?

And I think that before you vote -- I appreciate your coming to our neighborhood and seeing the situation firsthand, because I think that's what anyone who's going to vote on this should be doing.

Also, I'd like to know what type of construction these new houses will be. I mean, is it going to be CBS? Is it going to be -- or is it going to be prefab houses? Because I know the contractor has a history of doing some prefab. So I would like is to -- that question answered as well.

That's all I have for you. Those are my concerns.

CHAIRMAN FRYER: All right. Sir, thank you very much for expressing them. Mr. Youngblood?

MR. YOUNGBLOOD: Next speaker is William Bennett, followed by Ryan Young.

MR. BENNETT: Good morning. My name is Bill Bennett, and I live on Raintree Lane. And I also appreciate Mr. Fryer coming out and taking a look at it. I've lived there a little over 20 years, and within that time I've had water in my garage twice during rainy season.

My concern -- I don't know if we can pop up the layout of the community. Is there a mouse that I could use? My concern on the floodwater would be -- the proposed is to take the water from here and put it onto this section here, which is technically supposed to drain this way. What I've found this summer was -- we walk our dog down this section here. And if you've ever seen water run with moss, you could see the moss bending in the direction of the water flow.

Well, this season the water has actually been coming from the -- way up here out of screen is the Treviso Bay area clubhouse. There's a lake where that water all stops. It can't flow anywhere else. Well, that water was running this way, the opposite direction, and coming back this way. Once it reaches this spot, there's nowhere for it to go.

So my concern is if they run this water into here and you also have water coming back this way -- and I don't know if Treviso Bay's running water into that lake or if it's the drainage coming from Naples Manor that's accumulating and then backing it up.

Also, there's currently a drain that comes right from this corner over to a catch basin and then back underneath Maple Lane into the Arthurs' property all through here. So if we continue to get that backup from here and the water runoff from here, then it's going to go underneath that corner right here and then back up into Maple Lane. So that's

still a big concern to me.

I do appreciate the county finally coming out. It's took me -- I gave up about 15 years trying to get a drainage to go from the end of Raintree Lane and connect it into this canal here. Fortunately, we've got some young people that moved into our neighborhood, and they were able to move it along, and we now have a drain that goes right through here and connects, but -- and, again, with the summer rains, this construction was all new, so the ground was broken, and it was dirt. So I watched water -- the muddy water coming back heading east. So that means the water was actually going the opposite direction when -- the heavy rain. So we do have some flooding issues that I don't think that's going to -- pumping the water from the land to that canal's going to alleviate. That was my biggest complaint.

The land density, they say they're going to be matching what's zoned already, but if you were to take that five-acre tract of land right here, the highlighted, and you moved it over on top of this community, you would see it's only nine houses. If they're going to match it, nine houses seems more adequate to the neighborhood. That's all I need to say.

CHAIRMAN FRYER: Thank you, sir.

Next witness, please, Mr. Youngblood.

MR. YOUNGBLOOD: Our final speaker is going to be Ryan Young.

MR. YOUNG: My name's Ryan Young. I live in Myrtle Cove Acres on Raintree Lane. Thank you for your time today.

And I just wanted to thank Commissioner Fryer for taking the time going out and see our community. You didn't have to do that, and it makes a huge difference for me and all of us in here that somebody got the chance to actually look at where we live and see how unique it really is.

So I was looking at the evaluation criteria for rezoning, and No. 2 is the existing land-use pattern. So we're talking about zoning this new lot RSF-4 which has, you know, lot requirements that are congruent with the neighborhood next to it. But just like Bill just said, if you're looking at this map, the frontage of almost every property, at least on Raintree and Maple Lane, is 100 feet with a lot size on the low side of about 17-and-a-half thousand square feet versus the 10,000 that are being proposed.

So to find lots like that in a neighborhood like this in Collier County I think is rare for this area in East Naples. I didn't want to live in a gate community. I didn't want to live near a gated community. I'm a business owner. So I wanted the freedom and flexibility and a larger lot. And the houses aren't butted right up against each other. We have a lot of space between each house.

So I'm not sure that the zoning that exists in our community is appropriate. If you look at our lots, it falls somewhere, just based on lot size alone, between RSF-3 and RSF-2, which is kind of unique. There's no zoning that says 100-foot frontage and, you know, a .4-acre lot is your acreage size. So, you know, in talking with the neighbors, we may put something together to try to put a zoning overlay over our own neighborhood to more appropriately zone our neighborhood and any proposed adjacent zoning changes just to keep the community maintaining the character that it already has. It's because of how unique and different it is. So that's an effort that we'll be moving forward with shortly just to make sure everything is appropriate and the same.

So -- because currently in RSF-4, somebody can come in and knock down an older house, split the lot, and then we become Naples Manor, which we are very different than

Naples Manor in Myrtle Cove Acre. And we don't want to be that. That's why we love our community.

So if we can get a zoning overlay that better describes our zoning and anything that's going to be changed, that's an effort that we're going to be moving forward with.

And then going down the list, you know, creating an isolated district. That's much different than the adjacent communities. This might be a gated community right at the end of a community that is totally the opposite of that. So that's No. 3 there.

And then adversely affecting living conditions. They're talking about traffic and drainage. You know, we already mentioned the streets are skinny. I know my wife was significantly late to work the other day because a debris truck was sitting as far to the side of the road as possible picking up debris, and she could not get her car by it for 30 minutes until the thing moved.

So if that's any example of how skinny the streets are, I don't think that she should be late to work that often because of the increased traffic and trucks and all that stuff that are blocking up our streets. So that's just a good example of that.

And moving forward into drainage problems, we talked about a 25-year, three-day flooding event is what they're planning for. And someone mentioned 11 inches of daily rain. I'm not sure that that's accurate, and I would request that we look into that. I think it's a 9-inch in 24 hours or three-and-a-half inches per hour qualifies for a 25-year flooding/rain event. And looking at the data going backwards, at least for this year and the year before and the year before that, that's happened much more frequently than every 25 years. So keeping that in mind, it may be wise to plan for a 50- or 100-year event, especially with things possibly getting worse in the future. So in making this, that's something that I would want to put on the record just to keep in mind there.

And then property values and whether there's other sites that might be more appropriate for this --

CHAIRMAN FRYER: I'm going to ask you to wrap it up, please, sir.

MR. YOUNG: Sure thing.

You know, we're going to look at a zoning overlay to more appropriately zone our neighborhood and the adjacent one just so our property values aren't affected by the splitting of lots and the increased density in our neighborhood that -- you know, we value our current density. So thank you guys so much for your time.

CHAIRMAN FRYER: Thank you very much.

Mr. Youngblood, I take it that that's the last registered speaker?

MR. YOUNGBLOOD: Yes, sir, that concludes our registered speakers for this item.

CHAIRMAN FRYER: All right. Anyone in the room who has not registered but wishes to be heard, please raise your hand.

(No response.)

CHAIRMAN FRYER: Seeing none, we will now close the public comment portion of this hearing. And did you want to be heard, Commissioner?

COMMISSIONER VERNON: No. I just wanted to thank the public speakers for their presentation. That was helpful, especially the last speaker because you basically looked at what we're supposed to be looking at and analyze it through that lens, and that was helpful. Thank you.

CHAIRMAN FRYER: And before we turn it over to Mr. Yovanovich for rebuttal,

I'm going to want to hear from Ms. Scott, if she is still here. Have you been in the room, Ms. Scott? Oh, okay. Good. Well, not right at this moment, but I just wanted to be sure that you're still here after rebuttal, and we'll hear from you then.

Go ahead, Mr. Yovanovich.

MR. YOVANOVICH: I think the major themes from the neighborhood have been water management and traffic, and I think you've already heard a lot from Mr. Delate, and he's here to answer any further questions you have, including comments made by the last speaker that do not accurately reflect the criteria that Mr. Delate has to design to with regard to stormwater.

We fully recognize that the neighborhood doesn't want this project, but that's not the legal standard that applies, nor is the fact that they provided a petition saying they don't want us in the neighborhood. If you look at the petition, it talked about stormwater and traffic. What is the competent substantial evidence regarding stormwater and traffic? The competent substantial evidence that's in the record regarding stormwater and traffic is that we will not negatively impact the stormwater in the neighborhood. In fact, we'll make it better, because right now stormwater is uncontrolled. It will be controlled through this process.

If, in fact, the neighborhood is draining through this project, Mr. Delate has testified he'll have to accommodate that through the design of our system. So all of that is addressed through the review process for the county and the Water Management District. There are qualified professional engineers that will review Mr. Delate's work. So that issue has been addressed.

Traffic has been addressed. Your staff has reviewed it. They have agreed that the road system that's there can, in fact, handle the 13 homes we want to put on this piece of property. There's also a condition that says, should the neighborhood want to avail itself of traffic-calming devices it's -- I forget which -- I think -- I think it's the eighth condition -- I left my book back there -- that we have to participate in that, which would be speed bumps. You see them in a lot of parts of Collier County. You see them on Solana if you're driving from Goodlette-Frank Road to U.S. 41. Now, that's a through street, which none of these are. These are cul-de-sacs. So you're not going to be -- it's not an apples-to-apples comparison. This is, by nature, a slower traffic street.

There's no indication that people who are going to build and live in this neighborhood are going to somehow disrespect the people who are along Maple Lane and speed. But should there need to be traffic calming, we've agreed to pay our fair share for traffic calming as a condition of approval.

All of the professional planning testimony, not only Mr. Arnold but your Collier County staff, has determined we're consistent with the Growth Management Plan. The Growth Management Plan specifically includes us in the urban area, which is intended to be redeveloped. When the Growth Management Plan was adopted in 1989, a lot of Collier County was zoned agricultural. It became a holding category for future actions under the Growth Management Plan to rezone the property consistent with the Growth Management Plan.

What we're asking for is consistent with the Growth Management Plan. It also has been reviewed by professionals qualified to review it for the criteria. They have all testified that we meet the criteria.

So we're legally entitled to what we're requesting. It may not be popular with the

neighborhood, but we're legally entitled to that. That's the protections my client has under the Growth Management Plan and under the law of Florida. What we're proposing to do has been reviewed and determined to be safe from a traffic standpoint and meets the Water Management District criteria.

We were asked -- I was not at the hearing -- I'm sorry -- I wasn't at the NIM, but we were, essentially, asked to withdraw the petition. We respectfully declined to do that. That's not the first time my clients have been asked at a neighborhood information meeting to please just go away. It won't be the last time we'll be asked to just please go away.

My client elected to avail itself of its legal rights under the Growth Management Plan. We've addressed every comment that came, even in the petition. The petition talked about traffic and water management. We've addressed those conditions raised in the concerns in those petitions. We have agreed to the condition to prohibit construction traffic on Raintree Lane. We have done everything the neighborhood has basically asked us to do except go away.

And with that, all the testimony, all the competent substantial evidence indicates we've met the requirements, we're entitled to what we're requesting, and we're asking the Planning Commission to recommend approval to the Board of County Commissioners.

And with that, I'm going to ask Mr. Arnold to come up and just talk a little bit about the master plan and the buffering, because there were some concerns about the neighbors and what they may see. And then with that, we're available to answer any further questions you may have. If I left anything out in our conclusion, just let us know, and we'll answer any questions you may have.

CHAIRMAN FRYER: Thank you.

MR. ARNOLD: Again, for the record, this is Wayne Arnold.

And the question came up about buffering. And, of course, we did this conceptual site plan, and your condition says we have to be substantially in compliance with that. It gives us some design flexibility since it hasn't been completely engineered yet. The county asked us to, and we identified the buffers per LDC. So whenever we come in for the development on the site plan, the plat, whichever it becomes -- and it will be a plat -- we will have to show and depict a landscape buffer easement along all of our property lines. And I believe it requires us to have a 10-foot-wide buffer adjacent to the properties to the east and the west, and they will be landscape buffers.

CHAIRMAN FRYER: Ten-foot off center?

MR. ARNOLD: Ten-foot wide, yes; 10-foot-wide buffer.

CHAIRMAN FRYER: The planting that you're talking about, is it trees or other vegetation?

MR. ARNOLD: It would consist of trees. Ten-foot-wide Type A buffer, I believe, is what's required.

CHAIRMAN FRYER: Okay. Thank you.

COMMISSIONER VERNON: Wayne, do you know what --

CHAIRMAN FRYER: Go ahead.

COMMISSIONER VERNON: Do you know what's there now? Is it, like, invasives, exotics, or oak tree? What's there now?

MR. ARNOLD: There's a combination. The site, obviously, is going to have some alteration. That came up at the neighborhood meeting, to the north. A gentleman from Treviso Bay was there, and they said, you know there is exotic. There are some

planted trees that were part of the nursery operation. They were not native trees to the community, so there wasn't a native community.

So we'll have to inventory any of the native trees. Those that can be retained will be retained. But since we do have to do site work and put in a perimeter berm and things like that that Mr. Delate addressed, those trees that may exist in that same area won't be retained but, obviously, it's in our interest to retain native vegetation that meets the buffer standards.

CHAIRMAN FRYER: Commissioner Sparrazza.

COMMISSIONER SPARRAZZA: Thank you.

A question and suggestion. Question first. The current area is zoned RSF-4. And please help me understand, if that developer wished, they could have had those lots 75 feet wide. They chose to make them 100 feet; is that's correct?

MR. YOVANOVICH: That is correct. The RSF-4 zoning that you can see on the screen, that's the neighborhood, they elected to have larger lots. Under the current zoning they could have been 75 feet in width.

COMMISSIONER SPARRAZZA: Correct. As you are proposing RSF-4, you are obliding [sic] by the minimum of 75 feet?

MR. YOVANOVICH: We are meeting the legal criteria for RSF-4.

COMMISSIONER SPARRAZZA: Right. Thank you.

And just a suggestion, as there has been discussions regarding Raintree and should people somehow during construction go to the western end of it and try to gain access to the construction area, legally, illegally, whatever, is there something that might be considered to -- should this pass, maybe at the onset you create some type of a natural barrier so that you can't bring either a person's vehicle or a truck or something, in other words, trying to get maybe not the final buffer but some type of a buffering system up there initially so that it --

MR. YOVANOVICH: Okay, yeah. I'm sorry. I --

COMMISSIONER SPARRAZZA: -- deters anyone trying to go down Rain -- they go down there and they see trees or something.

CHAIRMAN FRYER: There will be -- there will construction site fencing that will physically prevent people from driving in there.

MR. YOVANOVICH: But we'll also -- we'll also put a buffer up to make it clear that you can't drive over into the neighborhood that way. We'll also, obviously, tell the delivery trucks and the contractors that you're wasting your time going down Raintree. We'll let -- we'll provide notice to the contractors and the site development contractor and all them that they have to come up Maple.

COMMISSIONER SPARRAZZA: Maple, great. Thank you. I appreciate your time.

CHAIRMAN FRYER: I have -- I asked Ms. Scott to come back in, and I want to hear -- first of all, with her in the room, I would like -- I believe it was Mr. Bennett who was using the mouse to point to water flow. Do I have the right witness? Is Mr. Bennett still here? Would you come up, sir. And I'm going to ask Ms. Scott to take a look at this and then reply to it. And then if Mr. Delate wants to reply after that, you can have more rebuttal. Would you point again and show your concerns about how the water was flowing?

MR. BENNETT: Again, this is Bill Bennett. Can I get that bigger screen?

Maybe a better view of it would be this angle here.

So if you're proposing to dump the water from here to here, this location is right here. So if we go back to the zoomed-in spot, there's currently a culvert that runs from here, and this object here is a catch basin where you can see the water. It's a big grid, and it goes under Maple Lane. And there's another catch basin here.

So currently -- I did observe, twice now, the water flowing back the opposite direction into the neighborhood. So if this water's flowing out here, this water's flowing back here, where's it going to go? And I did observe, like I said, once they put the new ditch in -- and I appreciate the county doing so -- the ground was raw. So when the water started backing up from this canal coming back and then to Raintree Lane, it ran down Raintree Lane, the ditches were dirty, a muddy color, because of the raw dirt. So that was obvious backflow.

CHAIRMAN FRYER: Okay. And where the Wilson property was, you made a comment about that, that it was going to go, it looks like north.

MR. BENNETT: The Wilson property pretty -- I think this water has no way to continue out this way. I think it stops right here. So it stops. But then if this was zoomed in bigger, you could see this canal that leads right here. Right here would go south until it would just dead-end into a lake right by Treviso Bay. So I don't know if we're having Treviso Bay dumping water into it, but something's creating a backflow.

CHAIRMAN FRYER: Okay. That's what I wanted Ms. Scott to hear. Thank you, sir. You're excused.

Ms. Scott, will you respond to that?

MS. SCOTT: Once again, for the record, Trinity Scott, Transportation Department head.

I wish I could respond to that. If I had my stormwater maintenance folks here from my road maintenance shop, I'm sure that they could respond to that. They're much more familiar with the specific operations of this area. And this is all part of the Lely Area Stormwater Improvement Project, which is a very major stormwater improvement project that took nearly a decade to permit. And so it is a very intricate system. But I cannot speak to those specifics.

CHAIRMAN FRYER: Okay. All right. Mr. Delate, do you want to be heard, sir?

MR. DELATE: For the record again, I'm Michael Delate, Grady Minor Engineers. I'm no expert on the LASIP system, probably enough to just explain the background. So all that water that goes in the canal is located on the west side of the property, and here, too. It goes all the way around. That's a weir right here. It does have a pump station in it, so it has the ability to back pump, I believe, into the canal during -- when they want to control the water elevations probably to hydrate farther north.

So all the water from Lely -- excuse me -- Naples Manor flows through here amongst other canals, and then it discharges farther south. And that is one of the weirs that's controlled by Collier County.

CHAIRMAN FRYER: Can you specifically offer any evidence to refute what Mr. Bennett said?

MR. DELATE: Well, I don't -- I'm not an expert on the operation of the system, but it could be that water could flow back north if that pump is operating to discharge water north of the weir. If you're familiar with many of the canal systems in the Collier

County area, for instance, along Immokalee Road, there's the Cocohatchee Canal. It has a series of pump stations along there where they back pump the water at certain times of the year to maintain water levels to help hydrate the soils. So it could have been a condition like that. It could have been after a heavy rain event and you had a lag period where the water was flowing in a different direction momentarily.

CHAIRMAN FRYER: Okay. Thank you. What I need to hear -- and I think it's out there, and I'm sorry that we didn't have the exactly correct people from the county. But I -- and, Mr. Yovanovich, I'll give you a chance to reply. But first I want to hear maybe from Mr. Bosi. Is this a reasonable point of concern for the Planning Commission, and should we ask the applicant to offer additional remediation steps in the event that these things occur?

MR. BOSI: Mike Bosi, Zoning director.

Within the -- and bear with me for a second. Within our impact fees and the utilization of impact fees, we've always said that impact fees cannot be used to cure past deficiencies within the county system. Similar, it's difficult to ask an individual project to cure issues that are off site to the project itself. They're required to meet requirements -- the minimum requirements of water retention, the water distribution or disbursement rates, maintaining, you know, the water on site for the specific periods of time for water-quality purposes.

To ask a project to address issues related to off site that are -- that are not directly attributed to this project is something that is beyond what the county could ask for. They can offer it. I think when we were hearing the Brightshore SRA, there was a request from the Corkscrew Neighborhood Association, if you can remember, to add some intersection improvements to local streets that were on Immokalee Road that were outside of the Brightshore PUD. And the county -- the attorney's office had opined that that would have to be something that would have to be offered by an applicant; you couldn't mandate it.

CHAIRMAN FRYER: Thank you.

Commissioner Vernon.

COMMISSIONER VERNON: Yeah. Just to pick up on that, I think, you know, just from my perspective -- and I'd defer to Mr. Bosi but, you know, from my perspective we have to segregate trying to deal with an existing problem in the community versus the impact of the project on that problem, and that's the way I view it, you know.

I mean, after hearing these speakers talk, you know, I want to move there. It sounds like a great neighborhood. But at the same time, you know, I grew up in Florida, and my grandfather told me never buy property in Florida unless it's dead center in the rainy season, because, you know, we're 10 feet above sea level at best.

So I see both sides of it, but I don't -- I just don't think we should be drifting into how to fix a problem that is unrelated to the applicant.

So the question I have, I think, for Mr. Delate -- and you may not know the answer to that -- come on up -- but do you have any sense of sheet flow, whatever you want to call it? You know, there's a big rain, generally speaking, north, south, east, or west, you know -- and it generally flows south, but what's the -- what's the general flow of water on these -- this whole area, including the applicant's area, including the area west of the applicant, including this development that the objectors are here about?

MR. DELATE: Sure. So if we start at a more global scale, all of Treviso Bay drains away from this site. So their discharge is out toward the west and southwest.

The areas, Naples Manor, which is across Tamiami Trail, over in here, so that discharges into the canal, comes underneath 41, comes all the way around. It's got a weir here, controls the water, and then heads south and discharges down the wetland areas in Treviso Bay and out to the bay area.

Within their subdivision, as Ms. Scott indicated, Raintree Lane has a swale system that discharges along the east side of this property into the canal system; again, the Lely canal system.

There's actually a 30-foot drainage easement that runs along the subject property, along the whole entire east side. As we go into design, that will probably be made into some type of swale system to catch any water that's running off site or, excuse me, onto the site. And I haven't gotten to that stage of design. We usually don't get into that kind of detail at the zoning level, but we'll get into that later on.

And then these other properties, similarly, as Mr. Bennett indicated, there's an inlet right where that arrow is. That discharges into the canal here, so that's catching the water on Maple Lane and then discharges down. I don't know where Cypress discharges. It's probably similar. So, collectively, these waters are going this way and out, or up this way and out.

So our proposal is to create our own little water management system there. It will be for the 25-year storm event, which is regulated by the Water Management District, and they have models on how that rain hydrograph occurs, and so everybody has to use it in this area -- we don't make up our own hydrographs -- and then that water will discharge to the south. And as I just indicated before and previously, as we go through the design and look at surveyed elevation and LiDAR information, we'll see if there's any water that happens to spill to the east or come off this property -- excuse me -- to the west, or if it comes off this property to the east, we'll have to collect that water. It's required by Water Management District and Collier County rules to collect that water and convey it to its outfall. And we just not have gotten into that design yet, but based on my experience in this area, that's what we'll have to do.

COMMISSIONER VERNON: And I heard your comment on Treviso Bay. It's flowing southwest from Treviso Bay, generally speaking. Any explanation based on your expertise of what Mr. Bennett is seeing of things flowing in that canal north rather than, you know, how it should work, I guess, south? Why is that happening?

MR. DELATE: Well, as I indicated, Mr. Fryer [sic], I'm not an expert on LASIP. I know enough about it that it could be a couple of conditions. The pump may have been operating at this weir here. So it could have been pulling the water from the south, pumping it over the weir to the north for storage. It could have been a condition where this area received a lot of rainfall, and for a certain period of time you can imagine water tries to seek its own level. The canal may have been down a little bit in one area, and water could have been flowing momentarily that way. Momentarily, it could be a day. But, generally, this is the flow pattern out this way.

COMMISSIONER VERNON: Okay. Thank you.

CHAIRMAN FRYER: Thank you.

Do you want another word, Mr. Yovanovich?

MR. YOVANOVICH: Other than, I think Mr. Bosi summed it up correctly, my client actually will be making it better. It will meet a higher water management standard than what the neighborhood has. The neighborhood's an older neighborhood. It's a nice

neighborhood, but it's an older neighborhood that had a very different water management system. It didn't even have one other than swales in the roads.

We can't be legally obligated to fix the neighborhood issues. There probably are other mechanisms. They can form an MSTU or an MSBU if they want to bring more current their water management system.

But we're committed to -- you know, if the neighborhood wants to meet with us as we're designing the system so we can show them how the system is being designed and works, the county's going to review that, the water management system's going to review that, and if they want to hire their own engineer to trust us, because they clearly -- one speaker says she doesn't believe us, we'll welcome them into the tent to see all this is public documents. We're happy to meet with them again and show them how the system will work and how it's designed.

CHAIRMAN FRYER: Commissioner Vernon.

COMMISSIONER VERNON: Yeah. I just want to -- I know I'm being very redundant, but flooding does seem to be the key issue.

So I talked to Mr. Delate, the closest thing we have to an expert in the room on this issue. So now from a layman's standpoint, I've got anecdotal testimony that there were new houses built in the northwest corner of the existing development, which caused the flooding to be worse. And the reason given is because they're built up to code, and they're up higher, and yours are going to be built up to code and going to be higher.

And so how are you going to -- and just from your perspective -- and you can call up somebody if you want, but simply how are you going to make it better than it is now?

MR. YOVANOVICH: How are we going to make it better?

COMMISSIONER VERNON: Flooding, yes.

MR. YOVANOVICH: Well, right now whatever's falling on our property, the water's going wherever it wants to go. Now we've -- we have to keep that water on our property, through berms, we have to hold it back, and we have to discharge it at a certain rate prescribed by the county. So from that very nature, we'll make it better.

If -- so if any of us -- if anything we're doing on our property is flooding them now, that will go away. We'll be prohibited from flooding them under the new regulations, because we'll have to hold the water on our property and discharge it at a prescribed rate.

Also, if any of their water is coming across our property, we'll have to incorporate that into our system, which would make it -- we're not allowed under the regulations to make their water management flooding issues worse. Through the permitting process, there is a review process to make sure we don't do that.

COMMISSIONER VERNON: From -- again, being redundant here, but focused on this flooding issue, from your perspective as sort of the leader of your team, have you guys looked at this -- does the water generally flow, during a rain event, west or east between the applicant's property and the existing subdivision?

MR. YOVANOVICH: I'm going to ask --

COMMISSIONER VERNON: Currently.

MR. YOVANOVICH: Mike's going to have to tell you the topography. I don't know the answer.

COMMISSIONER VERNON: Do you understand what I'm saying, Mr. Delate?

MR. YOVANOVICH: Which is the higher area?

COMMISSIONER VERNON: I mean, if I go out there in the middle of a

rainstorm, do I see water flowing towards their division, or do I see the subdivision using the existing applicant's area as sort of the receiving area?

MR. DELATE: Yeah. I think that's kind of a complex question, because the ground is so disturbed. You could have certain areas, certainly, that flowed toward the east, but primarily the discharge or, excuse me, the drainage is from the north.

COMMISSIONER VERNON: More north/south as opposed to east?

MR. DELATE: Correct. And as Mr. Yovanovich indicated, we're required to detain all that water as part of the design. And then, furthermore, as I alluded to, there's a drainage easement along this east side. It's, I believe, dedicated to Collier County. So that will be all improved. There's no improvement there now. It's basically just a low area. We'll improve that conveyance. The water can flow how the county wants it to go, because there's a weir here. We can't just have it all interconnect with the canals on the north/south side. But we'll design that in accordance with Collier County direction.

COMMISSIONER VERNON: Okay. Thank you.

CHAIRMAN FRYER: Thank you.

Anything further from the applicant?

(No response.)

CHAIRMAN FRYER: No?

MR. YOVANOVICH: Unless you have further questions.

CHAIRMAN FRYER: Commissioner Vernon, are you --

COMMISSIONER VERNON: Yes. More questions.

CHAIRMAN FRYER: Go ahead.

COMMISSIONER VERNON: Not a whole lot. But speed bumps, do you know what it would cost to put speed bumps on Maple Lane?

MR. YOVANOVICH: We'd have to coordinate with, I believe, Ms. Scott and her -- and Mr. Sawyer as to how many they want and where they would want them if there were going to be speed bumps.

COMMISSIONER VERNON: This is completely contrary to what I just said regarding Mr. Bosi and myself and our job, but has there been any discussion about you guys paying for the speed bumps?

MR. YOVANOVICH: We committed to paying our fair share of the speed bumps.

COMMISSIONER VERNON: I heard that. I meant --

MR. YOVANOVICH: I haven't been asked to pay 100 percent of the cost of the speed bumps, and I don't know what that number is or how many there are going to be.

COMMISSIONER VERNON: Right.

MR. YOVANOVICH: Or even if the neighborhood really wants them or if the Fire Department really wants them. Those are all complicated issues that goes through this neighborhood evaluation process before speed bumps are even approved. I've been -- so have I been asked to pay 100 percent of the cost, no. Are you asking me --

COMMISSIONER VERNON: It didn't come up at the NIM?

MR. YOVANOVICH: I wasn't there.

COMMISSIONER VERNON: Well, I'm not necessarily asking you to because, again, it's kind of contrary to my statement earlier as what my job is, but at the same time, that seems to be -- it seems to me that the applicant has already decided -- I think Randy pointed out 100-foot lots and to reduce the number of units they could have there, believe

they could have there. It seems like as a result of the NIM, they did some changes to the water flow. And so in part of being a good neighbor, as opposed to a part of my job, I was just curious, speed bumps seems to be -- I've never quoted the price -- something that's not that expensive, would make it safer for the kids.

CHAIRMAN FRYER: That's a fair ask, Commissioner; however, if it hasn't been volunteered by the applicant, it starts to look a little bit like a potential exaction, in my opinion.

COMMISSIONER VERNON: That's why I didn't ask for it.

CHAIRMAN FRYER: I understand. I understand.

COMMISSIONER VERNON: I didn't ask for it.

CHAIRMAN FRYER: I do have some language to clarify, without expanding. Condition No. 8 where it says, developer will participate with the neighborhood traffic management program, (NTMP), I would like words "including traffic calming" before the word "if." I think it's implied there, but just to be sure that we all understand, whatever kind of traffic calming they would be asked to pay their proportionate share of, that that would -- that we're being explicit. Would that be acceptable?

MR. YOVANOVICH: And that's fine. And I don't know, Mr. Vernon, if you were on the Planning Commission at the time, but when we went through and we were doing a change to, I think it was the ShadowWood PUD, which is basically off of Santa Barbara -- or Rattlesnake and Santa Barbara, it's the airpark. And I forget the name of the project.

COMMISSIONER VERNON: Airpark.

MR. YOVANOVICH: It's the airpark. Point South. No.

CHAIRMAN FRYER: Too many people talking at once, please.

MR. YOVANOVICH: Whatever it was, the neighborhood also had a concern about traffic through the neighborhood, and we -- and that same -- the same condition was imposed on that developer to pay their proportionate share, and it did include traffic calming.

So, Mr. Fryer, we're happy to include that, and, Mr. Vernon, that requirement has been a historical way of dealing with those types of issues going through the neighborhood.

CHAIRMAN FRYER: More?

COMMISSIONER VERNON: One more.

CHAIRMAN FRYER: Go ahead, sir.

COMMISSIONER VERNON: And it's actually not for Mr. Yovanovich. It's for the staff.

But there have been some -- and it's not just this meeting -- some distrust of applicants, are they going to do what they say they do. Let's say we approve something, just generally speaking, just so everybody in the room understands, and they decide, you know, maybe not intentionally, but the supervisor doesn't get the right understanding what he's supposed to do, does something completely different, they go out of whack with flooding, traffic, whatever, you know, what tools does the county have to stop that and to punish them if it's repeated?

MR. BOSI: Mike Bosi, Zoning director.

Again, we have two approaches to that to hold the development or the applicant in regards to the obligations and commitments they make during the PUD process. One, it's

contained within the PUD, and every year they have to provide a monitoring report. So whatever development commitments are provided for has to be measured within that monitoring report that it's going to be fulfilled.

But that's not -- we have a second catch safe as well. Ms. Cook's Development Review staff, whether this be a plat or whether this be an SDP, they will review the PUD and all the commitments that are contained within it, and her inspectors, as they are going out as they're developing the project, will make sure that the thresholds that are required within those developer commitments are showing up within the actual physical construction. So we have a two-part process to make sure that what's being committed as part of the PUD process or the rezone process is going to be what's going to be required and what's going to be verified by the county that it's going to be provided for by the applicant.

COMMISSIONER VERNON: Well, what's the teeth if you find a violation on either part?

MR. BOSI: Well, they can't move forward. There won't be COs that will be issued until the --

MS. COOK: Jaime Cook, director of Development Review.

As Mike was saying, if the zoning were to be approved, they will then come in with a site development and plat. We will make sure those plans meet any of the requirements that are established within the -- in the rezone application.

During construction itself, if we find any violations, we will shut down construction, and they will have to correct those violations prior to construction being able to resume.

Once construction is complete and they do have COs for the homes, if there is violations moving forward at that point, then we have Code Enforcement that will step in and address any code violations at that time.

COMMISSIONER VERNON: Thank you.

CHAIRMAN FRYER: Thank you.

No one is signaling at this time. Do we have any questions or comments before we -- Mr. Bosi.

MR. BOSI: I just wanted to provide a clarification specifically for Commissioner Sparrazza who's -- you know, it's only his second meeting, and I think the rest of the Planning Commission does understand this.

When Mr. Yovanovich was referring to the density that was allocated and allotted for within the Growth Management Plan, I think he misspoke. It is not an entitlement. It's not a guarantee. It's not an entitlement. It's an eligibility. And this doesn't change staff's recommendation. Staff is still recommending approval, because they are asking for less than what they're eligible for.

It's not what they're entitled to; it's what they're eligible for. So there's not an obligation to have exactly what the GMP was entitling at or was providing for. You're eligible at four units per acre, in this case three units an acre, and they're going below that. And staff is still maintaining the recommendation of approval. But it is not an entitlement. I just wanted to provide that.

COMMISSIONER SHEA: What are they entitled to? What are they entitled to? One acre -- one per five?

CHAIRMAN FRYER: Agricultural zone.

MR. BOSI: Three units -- three units per acre is what they're eligible for.

COMMISSIONER SHEA: Under the zoning or the Growth Management --

MR. BOSI: No, their current zoning -- their current zoning, ag, gives one to five. What the Future Land Use Map suggests that is the appropriate land use is a density of three units or less.

COMMISSIONER SHEA: But that's a -- that's not an entitlement?

MR. BOSI: That's not an entitlement.

COMMISSIONER SHEA: That's your point.

MR. BOSI: It's an eligibility.

COMMISSIONER SHEA: So their entitlement is one per five acres under A?

MR. BOSI: Their current entitlement is one to five. What the Future Land Use Map allocates to them is what's suggested as appropriate is eligible of up to three units an acre.

MR. YOVANOVICH: Well -- and I don't want to argue legal points with Mr. Bosi. The way it actually works is once I prove we're consistent with the Growth Management Plan, the burden shifts to say you shouldn't give me what -- you have to have a good reason for not giving me what is consistent with the Growth Management Plan.

COMMISSIONER SHEA: But it's still not an entitlement.

MR. YOVANOVICH: Well, we can -- the case law seems to indicate differently, but we can talk about that at another time.

CHAIRMAN FRYER: Well, I'm glad that Mr. Bosi made that point, because I think we need to keep it in mind. We are not a group that rubber stamps things. We exercise our discretion and our best judgments what's in the best interest of the county. I certainly take the point that, at least it was implied, that with respect to the current ag zoning, that that is not in the long-term view an appropriate zoning for this property.

And so -- and I am comfortable with the rezone concept subject to these conditions, as I'm going to offer some amendments that we've talked about in all cases.

And no one else is signaling, so I'm going to entertain a motion. I'm not going to make it, but I'm going to entertain a motion and let me state it. Approval of the rezone subject to the eight conditions amended as follows: No. 1, accepting Mr. Perry's language on the access to Raintree; No. 2, adding the phrase "by the County Manager or designee" after the "shall be determined" phrase in No. 6; and, No. 3, in No. 8 after the parenthetical "NTMP" adding the words "including traffic calming." Did I miss any?

MR. YOVANOVICH: Not to help you along, but we did agree to no construction traffic on Raintree west of Tamiami Court.

CHAIRMAN FRYER: Thank you. Thank you for that.

MR. PERRY: Chair, if I may.

CHAIRMAN FRYER: Those four.

Go ahead, Mr. Perry.

MR. PERRY: So I incorporated Mr. Ivanovik [sic] and the previous discussion with the access to state, "Raintree Lane west of Tamiami Court shall not connect to nor provide any direct or indirect access, construction or otherwise, to the subject property whatsoever."

CHAIRMAN FRYER: Is that acceptable to the applicant?

MR. YOVANOVICH: That's fine, as long as he calls me Mr. Yovanovich instead of Ivanovik.

CHAIRMAN FRYER: We moved you to another country of origin.

MR. YOVANOVICH: I guess so.

MR. PERRY: Tomato, to-mat-o.

CHAIRMAN FRYER: Does the Planning Commission have any problems with Mr. Perry's language?

(No response.)

CHAIRMAN FRYER: I do not.

All right. So that's what I would entertain a motion on but, obviously, the Planning Commission may make whatever motion it wishes.

COMMISSIONER VERNON: Vernon moves.

CHAIRMAN FRYER: Is there a second?

COMMISSIONER SHEA: Second.

CHAIRMAN FRYER: Any further discussion?

(No response.)

CHAIRMAN FRYER: If not, all those in favor of the motion with the conditions as amended, please say aye.

COMMISSIONER SHEA: Aye.

CHAIRMAN FRYER: Aye.

COMMISSIONER VERNON: Aye.

COMMISSIONER SPARRAZZA: Aye.

CHAIRMAN FRYER: Opposed?

(No response.)

CHAIRMAN FRYER: It passes unanimously.

Thank you, applicant.

MR. YOVANOVICH: Thank you.

CHAIRMAN FRYER: Thank you, members of the public.

Thank you, staff.

And it's 11:46. What's -- what is the wish of the Planning Commission timing-wise? Do we want to break for an early lunch now or start something else?

COMMISSIONER SHEA: We could do the TDRs pretty quick, couldn't we?

CHAIRMAN FRYER: Well, we probably could. Do you want to try that?

MR. BOSI: Chair, the elimination of the \$25,000 minimum requirement was a Board direction and has been something that has been kind of endorsed and has no public opposition towards. I think we could probably handle that in a relatively expedient manner.

CHAIRMAN FRYER: Let's do that. Let me call that one, and we'll hear it.

***Okay. This is PL20200002482, an LDC amendment to eliminate the minimum value of the TDR base credit in the RFMUD.

Please proceed.

MS. MOSCA: Good morning, Mr. Chairman, Commissioners. For the record, Michele Mosca with the Zoning division.

This is going to be really brief. I've placed the credits that we have currently on the visualizer. The Rural Fringe Mixed-Use District includes a transfer of development rights program. It includes both base and bonus credits. The Board established a minimum value of 25,000 for the base credit.

Based on the restudy of the Rural Fringe Mixed-Use District, the Board directed

staff to remove the minimum value to allow for the market to identify what the TDR credit value should be.

Staff is recommending approval of the Land Development Code amendment, and the Development Services Advisory Committee also recommended approval.

With that, if you have any questions.

CHAIRMAN FRYER: Questions or comments from the Planning Commission?
(No response.)

CHAIRMAN FRYER: And since the staff is basically the applicant on this -- well, I'll ask Mr. Youngblood. Anybody registered to be heard on this?

MR. YOUNGBLOOD: I don't have any registered speakers for this item.

CHAIRMAN FRYER: Okay. And since it was legislative in nature, we didn't need to make disclosures or to swear in witnesses, so that's all in order.

Any discussion on the part of the Planning Commission?

(No response.)

CHAIRMAN FRYER: If not, I'd entertain a motion.

COMMISSIONER VERNON: Vernon moves.

CHAIRMAN FRYER: Is there a second?

COMMISSIONER SHEA: Second.

CHAIRMAN FRYER: Further discussion?

COMMISSIONER SHEA: You get the next one.

CHAIRMAN FRYER: All those in favor, please say aye.

COMMISSIONER SHEA: Aye.

CHAIRMAN FRYER: Aye.

COMMISSIONER VERNON: Aye.

COMMISSIONER SPARRAZZA: Aye.

CHAIRMAN FRYER: Opposed?

(No response.)

CHAIRMAN FRYER: It passes unanimously.

Thank you, Ms. Mosca.

MS. MOSCA: Thank you.

CHAIRMAN FRYER: Thank you, staff.

All right. Now, before we go off to lunch, I want to talk about the afternoon. We've got the AUIR, and we've got the Radio Road commercial infill subdistrict. Are there members of the public who want to be heard on the AUIR? One.

MR. MULHERE: That's not the AUIR.

CHAIRMAN FRYER: I thought --

MR. MULHERE: He's here for Radio Road.

CHAIRMAN FRYER: Okay. I thought there might be someone. Is Ms. Olson still here?

(No response.)

CHAIRMAN FRYER: Okay. All right. How about members of the public wanting to be heard on Radio Road? One.

All right. Any recommendations from staff which order we should proceed in?

MR. BOSI: In deference to the time of the public, staff could allow -- you know, or would be agreeable to allow for the Radio Road GMP and PUD to supersede us, and we can hear the AUIR last, and we can spend a lot of time with the Planning Commission on

that.

CHAIRMAN FRYER: Yeah, I think that makes sense. Is the applicant on Radio Road, are they ready to go? Mr. Mulhere?

MR. MULHERE: Well, you mean right this minute or after lunch?

CHAIRMAN FRYER: After lunch.

MR. MULHERE: Because I just told my applicant to go get lunch.

CHAIRMAN FRYER: No, after lunch.

MR. MULHERE: Yes, we're ready.

CHAIRMAN FRYER: Okay. Well, we'll start with you, then.

MR. MULHERE: Thank you.

CHAIRMAN FRYER: And then we'll finish up with the AUIR.

And one more thing before we break for lunch: In the past, really, under Mark Strain's leadership, we spent considerable amount of time on the AUIR. It's rather different from the kind of rezone and PUD and GMP work that we do. It focuses more on LOSS, level-of-service standards, but it gives us a rich background of knowledge that we can then use in our regular work. And so I think it's very important for the Planning Commission to dig deeply into this, and I think the direction of our new County Manager is going to be that we do so. And the issue is whether we want to dig more deeply this time around or whether we want to schedule ourselves and prime ourselves to dig more deeply next year.

And so there are a couple things we could do here. I looked back at our minutes for the meeting in 2021 when we heard that AUIR, and it was the consensus of the Planning Commission that we wanted 30 days' advance copy of the AUIR before we heard it and, for whatever reason, that has not happened. And to the extent that it has disabled people from having sufficient time to look at it, I wouldn't want that to happen.

So one possibility is that we leave ourselves open the opportunity to hear what we can hear today and then continue it for further discussion at our next meeting without limiting ourselves to new material. In other words, if we hear two or three first sections today, we could still give ourselves the opportunity of looping back and hearing more about those sections if we feel that that's necessary in order for us to garner a complete understanding of the process so that we can make an intelligent recommendation. So there are probably other options, too.

Commissioner Vernon.

COMMISSIONER VERNON: Yeah. I'm very deferential to you, Mr. Chairman, procedurally how you want to proceed. I just wanted to alert you that today, I know being difficult on time today, but I'd really like to knock off at 5:00. I'm usually willing to stay as long as everybody wants to stay, but I have an engagement I have to be at.

CHAIRMAN FRYER: I think knocking off at 5:00 is always reasonable. I agree. Yeah, thank you.

Anybody else want to be heard on that?

(No response.)

CHAIRMAN FRYER: All right. We can --

COMMISSIONER SHEA: I'd like to get as far through it as we can.

CHAIRMAN FRYER: Well, yeah, and I think we should.

COMMISSIONER SHEA: I spent a lot of time studying it, the little bit of time we had.

CHAIRMAN FRYER: Yeah. Okay. Well, we can reserve our decision on whether we want to carry it over, depending upon how we feel at the end of today, and we'll end probably a little before 5:00, even if we haven't finished on the AUIR.

With that, it's 11:52. We will -- let's see. Can we break for an hour? Does anybody object to -- Mr. Bosi.

MR. BOSI: A suggestion: Why don't we come back at 1:00?

CHAIRMAN FRYER: All right. Without objection, we will --

COMMISSIONER SHEA: That's a different way of saying we'll break for an hour?

CHAIRMAN FRYER: We'll break for an hour and seven minutes. We stand in recess for lunch for an hour and seven minutes, and we'll be back here at 1:00 p.m. Thank you.

(A luncheon recess was had from 11:53 a.m. to 1:07 p.m.)

MR. BOSI: Chair, you have a live mic.

CHAIRMAN FRYER: Thank you, Mr. Bosi.

Next for us to hear are companion items, PL20220001012, which is the Radio Road Commercial Infill Subdistrict to the Urban Mixed-Use District, Urban Residential Small-Scale Growth Management Plan amendment and its companion, PL20210002663, the Everglades Equipment Group CPUDZ.

All those wishing to testify in this matter, please rise to be sworn by the court reporter.

(The speakers were duly sworn and indicated in the affirmative.)

CHAIRMAN FRYER: Thank you.

Ex parte disclosures, starting with Ms. Lockhart, please.

MS. LOCKHART: Staff materials only.

COMMISSIONER SHEA: Staff materials only.

CHAIRMAN FRYER: Matters of public record, plus a meeting with staff.

COMMISSIONER VERNON: No disclosures.

COMMISSIONER SPARRAZZA: Staff materials.

CHAIRMAN FRYER: Okay. And that takes us to the end of the line, doesn't it? It's rather a short line.

Mr. Mulhere.

MR. MULHERE: Thank you. For the record, Bob Mulhere with Hole Montes here on behalf of the applicant.

It looks like my client is having a longer lunch, but we'll start, and he can catch up when he gets here. And here today is Jackson Sherer who's the regional manager for Everglades Equipment Group, or shortly to be here.

Rich is our land-use attorney, Rich Yovanovich or, as some people call him, Rich Ivanovik. And I'm not sure what I did to this presentation, but that's supposed to be Norm Trebilcock.

MR. TREBILCOCK: I feel like I'm back in high school.

MR. MULHERE: And then Marco Espinar, who's not here, did our initial environmental consulting. And Jeremy Chastain, who works in my office, is here. Jeremy is also a planner who works with me.

This is an aerial of the subject property. I forgot. I have to do this. So right here is the subject property. This is Sherwood Park, which is a residential community. Right

here is the bowling alley. We share access, which I'll go over in just in minute, with the bowling alley, and then we're bounded by Radio Road and Radio Lane, and then the county's Collier Area Transit facility across Radio Road.

So, as the Chairman said, there's two companion items, a Small-Scale Growth Management Plan amendment to create the Radio Road Commercial Infill Subdistrict and a rezone from C2. So the property, as it exists today, is and has been for decades zoned C-2, which as, you know, a straight zoning district in Collier County allows for quite a few number of uses; retail, restaurants, offices, personal services.

We have limited the square footage as part of this, and the maximum square footage overall is 28,500 square feet. The Everglades Equipment Group portion is limited to 13,500. I'll go over that in the site plan in just a minute.

This is the county's Future Land Use Map. You can see that it's urban, and there will be this designation on the map moving forward, if this is approved, that will designate it as the Radio Road Commercial Infill Subdistrict.

This is the zoning map. And you can see that the subject property right here is C-2. Again, I may not have mentioned it; it's 7.91 acres in size. I think I went over the zoning that surrounds us, but that's in the table right there.

Most of my presentation will deal with our efforts to work with and address concerns from our, really, only impacted neighbors, which is Sherwood, which is immediately to our west. So we did meet with -- at their request, I met with the HOA officers and residents -- I'd say there was about 15 people, maybe, in that meeting -- on May 20th, 2022, presented our plans, listened to their concerns and comments, and then we had our neighborhood information meeting in May. And then over the last several months but primarily the last month, October, I communicated back and forth via email with Barry Berggren. Did I get that right?

MR. BERGGREN: Uh-hum.

MR. MULHERE: Who's sitting here and, certainly, he can speak for himself. But he's the HOA president at Sherwood.

So I wanted to go over all of the elements that were raised and that are reflected in our design, and then there's some new additions that I need to put into the record. I did speak to Ms. Ashton and to Nancy to let them know that I would have some changes on the record based on my back and forth with Sherwood over just the last few days, and even today, which I think is a good thing, so -- but I learned my lesson. I let the staff know.

Let me -- so I just want to show you on the site plan. You can see the -- sort of the edge of the Sherwood residential units. There are two units that are closer. One's right here, and one's right there. But if you look at the distances reflected in red, from this unit to the closest portion of the building, it's just under -- it's 398 feet, 10-and-a-quarter inches. So there's a substantial distance.

When we redesigned the shared access here, we impacted some of the bowling alley's stormwater, so we had to make that up, which is now right here, compensating dry detention for the bowling alley. We located that there because it seemed an appropriation location to further distance the project from this one unit that is a little bit closer.

And then if you look at the other unit, it's 438, three-and-a-quarter feet from the edge of that unit. On Sherwood property itself, for the majority there is a stormwater lake right here and then a vegetative buffer all the way along here of varying widths. In our design, we are providing an enhanced buffer. The code requires a Type B 15-foot buffer

between commercial and residential. We're providing a 20-foot enhanced -- and I'll go over the enhancement in a little bit -- buffer right here, because we have quite a bit of separation between this unit, which is a little bit closer, and we have a preserve tract right here that will be retaining the native vegetation.

Down here we increased the width right here to 30 feet because of the proximity of that one unit that's fairly close to us. I think that's it on that exhibit.

So I'm going to go over the specific concerns that were raised in our pre-NIM meeting, our NIM, and after the NIM leading up to today.

One, we had requested a zoned height of 35 feet. By the way, the C-2 district allows a height of 35 feet, and a zoned height of 42 feet, and that's not uncommon because the way the county measures height --

CHAIRMAN FRYER: You meant actual, didn't you?

MR. MULHERE: Actual, yes, thank you. Yes, I'm sorry, yeah; 35 zoned, 42 actual. It allows for flexibility in the roof design. But Mr. Berggren had mentioned that the preference would be to limit it to 35 feet so that there was no likelihood of anybody living in the units in Sherwood -- those are two-story units -- really seeing the structure, and so we agreed. So we now have a -- and it's not reflected in the documents you have, but we are agreeing to reduce both the zoned and actual height to 35 feet. So the building will not be taller than 35 feet. And that's the same as what's presently permitted.

There is a future access point, which is right here, that was requested to be added by staff. I neglected -- let me just go back for a moment here and just point out that we have two tracts in this development. This is Tract C-1, which is 2.9 acres in size. That will be the location furthest away from Sherwood where the Everglades Equipment facility would be located, and there is a one-acre tract right here which would allow C-2 uses.

So the staff had requested -- we already had the right to share this access with the bowling alley. We'll come in here and come down here, access the Everglades Equipment, and then access the Tract C-2; however, staff had requested an additional access point right here.

And we put a note on the plan, which is right here, which says potential future ingress/egress subject to Collier County review and approval. There was a concern expressed by Sherwood that that would impact their ability to get in and out of their access, and I'm going to show you that -- an exhibit that shows that in just a minute; however, we -- as a result of that we agreed to limit that to a right-in, right-out only. I'm not sure we could have gotten a design that would have allowed a left into it, but we've agreed to -- at a maximum that will be a right-in, right-out. It could even be just an egress. And that's going to be up to the county when that tract is developed. We don't have a use for that tract right now.

But if you look right here, this exhibit -- let me clear that -- shows the Sherwood access, which is right here, and there is a separation of approximately 650 feet. I mean, obviously, we show that location on the master plan, but we will meet the separation requirements as part of our design if, in fact, that access -- that second access is built.

So that would be a secondary means in and out. I think -- and I'll let, you know, Barry speak for himself, but I think that's satisfactory to our neighbors.

CHAIRMAN FRYER: Mr. Mulhere, how does that find its way into the ordinance?

MR. MULHERE: I was going to change the note on the master plan to reflect

right-in, right-out only.

CHAIRMAN FRYER: Okay. And the 650?

MR. MULHERE: Yeah. That's a requirement of the --

CHAIRMAN FRYER: Okay.

MR. MULHERE: I mean, I certainly can -- plus or minus 650 feet.

CHAIRMAN FRYER: Thank you.

MR. MULHERE: So continuing, there was a concern about trucks entering to deliver to the Everglades Equipment facility, and it was actually suggested that based on the design, perhaps we could route the trucks in sort of a one-way pattern. There's not going to be a lot of delivery trucks but, yes, there will be delivery trucks.

So you can see the exhibit on the screen. It shows -- and this will be a condition that we will add to the developer commitments, that the trucks will be routed this way around the -- you know, unload, and then exit to the bowling alley. There's a couple of beneficial aspects to that. One is that if the trucks exit at our shared ingress/egress, or main ingress/egress, which we share with the bowling alley, if they do want to make a U-turn, let's say to get to I-75, they will take that first U-turn opportunity, which is right directly adjacent to the county's CAT facility and easier to make that U-turn rather than if they were to continue through the project, use the other exit, then they would be U-turning in front of Sherwood. So this will eliminate or certainly significantly reduce the likelihood of that occurring. So we agreed, and that will be a condition.

I have a summary at the end, Mr. Chairman, so it will be easy to follow all the things we've agreed to.

CHAIRMAN FRYER: Thank you.

MR. MULHERE: There was another concern about backup alarms, you know, beep, beep, beep. It's required by law. I don't think that will be too egregious. We don't get that many deliveries -- or my client doesn't get that many deliveries. With this rerouting, that will minimize that because there would be no need for these trucks to back up, but we certainly can't agree to silence the backup alarms.

There's a lot of text on here. I'll summarize it for you. The first comment is that they want to be sure that we are legally bound in perpetuity to these commitments, and my response is that the PUD is binding. Now, as you know, anybody can come back in and go through another public-hearing process and advertise it and have a NIM and request some kind of a change. You know, we're not proposing to do that, but I want to be 100 percent clear, those are binding on us, and that's what we're agreeing to.

The second comment had to do with, there's an area that is between the two tracts or located between the proposed building for Everglades Equipment and the C-2 tract that, you know, has some vegetation in it, and right now there's -- it's not part of the design, though it could be part of an expansion in the future.

And we committed that we would retain native vegetation or put a buffer in there to further enhance the separation between Sherwood and the Everglades Equipment use. And so I had asked for a deviation, which originally -- and which was recommended for approval, which originally allowed us to reduce the buffer between Tract C-2 and C-1, two commercial tracts, which is normally a 15 -- or 10-foot buffer on each of the two commercial tracts, but the LDC allows you to reduce that to seven-and-a-half on each side or 15 feet. I had requested to reduce it further to 10 feet.

Based on this comment, I went back and changed the deviation to still provide for a

15-foot Type A buffer but to locate it entirely on Tract 1, the Everglades Equipment tract. You still get the same 15 feet, but it provides greater buffer for our residents to the west. So that's what you see reflected here in yellow is the change. Instead of having just a 10-foot buffer, five foot on each tract, we want to put a 15-foot buffer in and put it entirely on Tract 1.

CHAIRMAN FRYER: So you're at three deviations?

MR. MULHERE: Yes. Yes, that's correct.

CHAIRMAN FRYER: Okay. Am I correct that the third deviation was requested after the NIM?

MR. MULHERE: You know, I don't know the answer to that. It may have been. It could have been.

CHAIRMAN FRYER: Have you discussed that with the gentleman you call Barry?

MR. MULHERE: Yes, yes, we did, we did. And we're actually going back to the same width that's required by the code, so now it's really just that it's going to be located -- I'll show you on the next page.

CHAIRMAN FRYER: But just so I can -- your representation to us is -- and he can speak for himself --

MR. MULHERE: Yes.

CHAIRMAN FRYER: -- of course, but your understanding of the situation is is that the HOA does not have a problem with Deviation No. 3?

MR. MULHERE: Correct, I don't believe so.

So if I could, without that deviation, we'll be required to put a seven-and-a-half foot buffer along Tract C-2 and a seven-and-a-half foot buffer along Tract C-1 where they meet. With the deviation we're simply putting the entire 15 feet on one tract, which I think, you know, creates better separation for them.

CHAIRMAN FRYER: It shouldn't be objectionable. I just wanted to make a record when things happen after a NIM.

MR. MULHERE: Got it. Thank you.

As I said, Norm did the TIS. We don't create -- one thing I forgot to mention. This is 7.19 acres, C-2 zoned, allows a plethora of uses. As planners, traditionally, we use -- for typical retail, office, personal service mix, the normal ability with parking, stormwater, buffers is about 10,000 square feet per acre. So this is zoned and entitled and eventually it will get developed, and it would be developed at somewhere between 50- to and 70,000 square feet of commercial, which can be parked, which can meet the stormwater, which can meet the buffers. We've limited our use to a maximum of 28,500 square feet -- so I did want to put that on the record -- which reduces the trip generation is the point.

So you can see from this traffic analysis and the table before you that the traffic -- there is not a significant or adverse traffic generator associated with our request. There's sufficient capacity. We've put a cap of 198 -- based on the TIS, a cap of 198 two-way p.m. peak-hour net new trips, and the turn lane warrants will be required -- left-turn lane in, a turn lane off of Radio, so -- but that will occur during the design part.

So I tried to summarize these, and I think I have them all, because I thought it would be helpful for the Planning Commission, ultimately, to make sure that all of these

are included in the motion; but that we have agreed to limit the height to 35 feet.

COMMISSIONER SHEA: Is that actual?

MR. MULHERE: That's both zoned and actual, yes.

COMMISSIONER SHEA: So it should say "actual" in there?

MR. MULHERE: Well, in the PUD I will put it in. Yeah, that's fine, actual, yes, you're right. Yep.

Enhanced setbacks and landscape buffers, which I already went over, you know, 20 feet with enhanced plantings, and 30 feet closer to the -- where the structures are a little bit closer to us.

Oh, I forgot to mention this: We agreed to limit the lights poles to 15 feet in height and to be Dark Sky compliant. We also limited our hours of operation. Friday 7:00 a.m. to 5:00, Saturday 8:00 to 3:00, and no Sunday hours. We also agreed to limit our delivery hours, which would be very similar to that except that deliveries would be limited from 8:00 a.m. to 5:00 p.m. and 8:00 a.m. to 3:00 p.m. So not early-morning deliveries.

One other concern, we do propose to utilize bulk materials on the site. There is a condition in the -- to sell bulk materials. There is a condition in the PUD document that requires a three-sided 8-foot wall around any bulk materials on the north, south, and west with only the access from the east, so it would be at the other side of our neighbors, plus all the separation we've already provided, but there was still a concern, and it particularly related to bulk sale of mulch, which I think that the neighbors felt that could create, you know, dust or something like that.

So we have agreed to only sell bagged mulch, but we do want to retain decorative rocks and those types of things, so...

CHAIRMAN FRYER: With respect to the movement of trucks, my understanding is that it would be a counterclockwise movement?

MR. MULHERE: For the delivery trucks, yes.

CHAIRMAN FRYER: For the delivery trucks. Maybe the -- in that third-to-last bullet point, in addition to saying what the signage will say, but how the trucks will move.

MR. MULHERE: Sure. Yeah, routing them clockwise around the building.

CHAIRMAN FRYER: Counterclockwise.

MR. MULHERE: Or counterclockwise, I'm sorry. Yes.

CHAIRMAN FRYER: Yeah. That's all right.

MR. MULHERE: I got it.

CHAIRMAN FRYER: Okay. Thank you.

MR. MULHERE: So we do have that 8-foot-tall opaque wall, and my client indicated to me -- he's here, Jackson is here -- that they also do water the bulk materials locations. If dust is an issue, they will water them. But I think the main thing was the mulch and, certainly, speak to [sic] himself. We've agreed to not sell bulk mulch.

We are going to install signage directing the trucks, you know, to make that counterclockwise turn and to exit onto the shared bowling alley. We can also tell them that, but signage will help.

And, finally, to limit the access to Tract C-2 to a right-in, right-out if it is approved by staff.

CHAIRMAN FRYER: Commissioner Sparrazza.

COMMISSIONER SPARRAZZA: Thank you.

A simple question: Is this intended for wholesale only, or is this open to the public?

MR. MULHERE: It's open to the public, and primarily that is the assumed clientele will be the neighborhood, landscape folks, that kind of stuff.

COMMISSIONER SPARRAZZA: Okay. Great. Thank you.

CHAIRMAN FRYER: Further to that, you might want to complete the record on the difference between an ag store and a turf store, because I think that goes to the essence of what the commissioner was asking.

MR. MULHERE: I'm going to let somebody who actually knows the answer --

CHAIRMAN FRYER: Okay. And then maybe follow that up with an indication of whether we could add that as a condition.

MR. SHERER: Absolutely. I'm Jackson Sherer. I represent Everglades Equipment. So this is not an ag store. This is ag --

THE COURT REPORTER: I need to swear you in.

(The speaker was duly sworn and indicated in the affirmative.)

CHAIRMAN FRYER: And while we're pausing, I'm going to ask you to slow down just a little bit. You can have all the time you need.

MR. SHERER: Jackson Sherer. I represent Everglades Equipment. And this is a turf store. It's not an ag. We do not sell ag tractors or sugar cane harvesters. There's no combines sold in Florida, but we sell -- this store will sell golf equipment, commercial mowing equipment, utility vehicles, transportation for people or whatever, and residential mowers. There will be no ag equipment, no large tractors. We will sell small compact tractors, 100 horsepower and less. These are -- our large clientele is in Golden Gate Estates that buy these tractors, but this is not an ag store.

CHAIRMAN FRYER: Okay. Can we add a bullet point, then, to the conditions that it's going to be turf, not ag?

MR. SHERER: Absolutely. This is a turf and not ag, yes, sir.

CHAIRMAN FRYER: Thank you. Thank you.

MR. MULHERE: I did -- and Mike just pointed this out to me, which I appreciate. On the hours, limited hours of operation and delivery, that -- I will restrict that -- that applies to the Everglades. That doesn't apply to the C-2, which might be an office building that people might work in later. So that applies to the Everglades Equipment site.

CHAIRMAN FRYER: Understood. We have to do some touching up of these points to capture all that.

MR. MULHERE: You know -- I mean, it's up to you, Mr. Chairman. I can certainly take care of this, and we can -- it might be one that you might want to take a look at on consent.

CHAIRMAN FRYER: Well, thank you, we'll see. If we can -- very generous of you.

MR. MULHERE: Well, the thing is, I believe I have time before the Board hearing to do that.

CHAIRMAN FRYER: Yeah, okay. Thank you.

MR. MULHERE: That concludes my presentation. I know there's one speaker anyway.

CHAIRMAN FRYER: Okay. Planning Commission, no one's signaling at this

time. Anyone want to be heard? Here we go. Starting with -- it's like beat the clock. Commissioner Sparrazza.

COMMISSIONER SPARRAZZA: Thank you.

A question, don't know if I'm directing to you or to our own staff here. If you go back to Slide 8, if you would, please, and -- when you come out of the bowling alley and you -- at that point, you are on Radio Lane.

MR. MULHERE: Correct.

COMMISSIONER SPARRAZZA: You must turn right and head west down Radio, and the first opportunity you have to head east on Radio is right in front of CAT?

MR. MULHERE: It's right -- I'll just point it out. Right here.

COMMISSIONER SPARRAZZA: Correct. And if I may ask, if we do have large trucks coming in, even as large as a tractor trailer with a 53-foot trailer on the back end, is that a sufficient area for a full-size tractor trailer to make a safe U-turn?

MR. MULHERE: I defer to Norm or to Mike Sawyer because --

CHAIRMAN FRYER: Well, let's hear from them both.

MR. MULHERE: I think it would be, but...

COMMISSIONER SPARRAZZA: And if not, may I tag onto that, how would somebody with a large vehicle, a truck like that, get back to -- I think it was referenced earlier, if they want to get back to I-75, well, they could probably go down Radio to Santa Barbara and head up, but in any event, please.

MR. TREBILCOCK: Good afternoon. My name's Norm Trebilcock, professional engineer, certified planner.

So I did take a look at that. I actually looked at it in the field as well. And so that first U-turn there at the CAT, that would be fine for most cars, most vehicles, and I even observed everybody that was leaving that wanted to make a U-turn use that; however, I think a larger truck that you're talking about would actually just go to the next one, to -- the next one to the east has a right-turn lane on it as well, an eastbound right-turn lane. Actually, it's to the west, I'm sorry, next U-turn. And that's opposite Sherwood.

So it would be that lesser amount of vehicles that would potentially do it, but that would be large enough to accommodate any larger vehicle that -- you know, typically what we have in our six-lane roadways when you get these large vehicles making a U-turn, they'll use all three opposing lanes to do it.

Well, this is a four-lane, two-lane road; however, at that entranceway you actually have a third lane because you have the right-turn lane going into the CAT facility. So it gives you an extra lane there. So that would work in that case.

So in my opinion and belief, the first entrance is great for probably 80, 90 percent of the vehicles. That smaller percentage would just go to the next median opening and be able to make a U-turn there for larger vehicles and accommodate a larger vehicle.

COMMISSIONER SPARRAZZA: Okay, thank you.

MR. TREBILCOCK: Yes.

COMMISSIONER SPARRAZZA: To recap in my mind, just in front of CAT there, we'll call it a two-lane, so you have basically -- heading west you have two lanes to turn to head back east. If we go to the entrance in front of Sherwood, when they turn they actually pick up that third lane so they have three lanes to turn and come in.

MR. TREBILCOCK: Correct. But there is -- there is an orientation at the CAT facility that kind of straightens the vehicles out and gives them a little more room, but I

would say, conservatively, those larger vehicles would probably feel more comfortable at the Sherwood when they need to, again, and that's a lesser occasion. So I think it's good here, really.

COMMISSIONER SPARRAZZA: All right. If it's wise to somehow help communicate with, more than likely, delivery folks or something that are bringing in equipment that, hey, when you exit, if you're heading back out, just be aware of those two intersections, and one's a little more safer than the other to use.

MR. TREBILCOCK: Right.

COMMISSIONER SPARRAZZA: That's the only question I had. Thank you. Thank you.

MR. TREBILCOCK: No, that's a good point. They're pretty -- the nice thing is you have a good line of sight, because I did check it myself. So when you are leaving, you can actually see them in series, so it's helpful.

COMMISSIONER SPARRAZZA: Great. Thank you for your explanation.

MR. TREBILCOCK: Yes, sir.

MR. MULHERE: I did want to point out we will let the delivery drivers know to -- again, it will be signed for Everglades to go around the building in a counterclockwise way and exit on -- because the concern was that the traffic -- part of the concern was that the traffic could simply, when this was built, go down to here and exit, and for deliveries for this project, we'll route them around this way and instruct them to exit here.

COMMISSIONER SPARRAZZA: Correct. And my point was, once they exit, how are they getting back to the rest of the world, right? Thank you.

CHAIRMAN FRYER: Thank you. And, Mr. Sawyer, you don't need to come up unless you want to amplify or disagree with -- okay.

Mr. Sawyer nodded no. Thank you.

Commissioner Vernon.

COMMISSIONER VERNON: Yeah. I just guess it's always hard to present after lunch because everybody just ate, it's kind of sleepy time sometimes. So I may have not gotten a full understanding of this. But my impression was the reason you have the ingress and egress that Randy was just talking about was because the staff requested it?

MR. MULHERE: The second one.

COMMISSIONER VERNON: Uh-huh, the one that's going to be right-turn only.

MR. MULHERE: Yes, yes.

COMMISSIONER VERNON: So absent the staff, you wouldn't even have --

MR. MULHERE: Well, that's correct. But in deference to the staff, I think their idea was that if this is developed as an office or something, that traffic could -- it would be only a right-in, right-out. So with the distance away from the Sherwood entrance, it did make sense to us.

COMMISSIONER VERNON: Okay. But absent staff's input, how would the -- for the C-2, which is the retail, right?

MR. MULHERE: Well, there could be office or retail --

COMMISSIONER VERNON: Office, retail.

MR. MULHERE: -- restaurant, yeah.

COMMISSIONER VERNON: Well, I guess, primarily, was -- is the plan for there to be some synergies between the two operations, or they're just two different things?

MR. MULHERE: Two different things.

COMMISSIONER VERNON: Okay.

MR. MULHERE: So the access would be -- Mr. Vernon, would be -- absent that, the access would be back this way and back that way.

COMMISSIONER VERNON: Okay. Okay. All right. It just seems like the ingress and egress -- and I understand staff requested it. I understand you guys are real comfortable with it. But that sort of creates the problem that Randy seems to be concerned about, which wouldn't exist if you didn't have that ingress and egress. So I would assume Sherwood isn't real interested in that ingress and egress.

MR. MULHERE: Well, I'll let them speak to that. But I think what Randy raised still exists, because that is -- that is traffic -- the question is, when a vehicle exits -- a large vehicle exits here, yeah, that still exists.

COMMISSIONER VERNON: Regardless, it's still going to be in front of Sherwood?

MR. MULHERE: Correct.

COMMISSIONER VERNON: Okay.

MR. MULHERE: Or further down.

COMMISSIONER VERNON: And then -- this is a minor point, but why are you locating all of the buffer on your property?

MR. MULHERE: Well, I just felt that that allowed -- it achieves the same purpose, allows for a little more utilization of that one-acre parcel which we -- because we increased these buffers here -- you know, lost some development area, which is fine, but -- so we don't -- instead of losing, you know, I guess seven-and-a-half feet on the C-2 tract, we can put that in this -- all entirely within the C-1 tract, and there is some native vegetation within there, which I don't know if we can save it, because when you go in and start doing construction, some of it just naturally dies, but there would be an attempt to retain some of that native vegetation so that buffer would be thicker, so that was the reason. I mean, it's really not going to make a huge difference if we had to put the seven-and-a-half on the C-2 tract and seven-and-a-half on the C-1 tract. It just made sense to us to put it all on one tract, which creates a more immediate buffer. The concern that we heard -- because this is already zoned C-2 -- is almost entirely as it relates to the Everglades Equipment utilization.

COMMISSIONER VERNON: And not the office?

MR. MULHERE: Yeah, yeah. And there will be a building between the two, so it's not something you'll ever even see.

CHAIRMAN FRYER: Thank you.

Anything further, Mr. Mulhere?

MR. MULHERE: No.

CHAIRMAN FRYER: Okay. Any other questions or comments, then, for the applicant from the Planning Commission?

(No response.)

CHAIRMAN FRYER: If not, I believe we're ready to hear from staff.

Well, I had one more thing I wanted to say before I turn to staff, and it is to compliment Mr. Mulhere who did a good job managing the NIM and assuring that people said their names and didn't talk over one other. So thank you for that, sir.

MR. MULHERE: Thank you.

CHAIRMAN FRYER: Mr. Sabo.

MR. SABO: Good afternoon, Commissioners. For the record, James Sabo, Comprehensive Planning manager.

Since Mr. Mulhere is so thorough, I'm going to jump to the end of our presentation. All right. Basically, from -- this is a Growth Management Plan amendment, the file number that you had read, Mr. Chairman. From a compatibility standpoint, we find this to be compatible based on their self-limiting of 28,500 square feet of commercial -- we had calculated -- staff had calculated about 75,000 to 100,000 square feet. So they are very compatible there. The limited use, limited square footage is compatible with the surrounding area.

The findings: Again, no environmental impacts; public infrastructure impacts, no findings there.

And the recommendation is one to forward to the Board of County Commissioners with a recommendation to approve and adopt and transmit to the DEO. I'll entertain any questions.

CHAIRMAN FRYER: Questions. This is on the GMP. And then we'll hear from Ms. Gundlach on the LDC/PUD, XYZ.

MS. GUNDLACH: Good afternoon, Commissioners. For the record, I'm Nancy Gundlach, principal planner, now known as Planner No. 3 or 4.

And staff is recommending approval of the Everglades Equipment Group PUD. And I just wanted to make a clarification to you. On the staff report, very last sentence, our recommendation of approval should recommend approval of the Everglades Equipment Group PUD. So I just wanted to make that correction for the record.

CHAIRMAN FRYER: Thank you very much.

MS. GUNDLACH: You're welcome.

CHAIRMAN FRYER: Any comments or questions for Ms. Gundlach?

(No response.)

CHAIRMAN FRYER: Thank you.

Mr. Bosi.

MR. BOSI: And just from a staff perspective -- and I know from speaking with Nancy -- that we are in agreement with the additional compatibility measures that have been offered by Bob that weren't within your PUD. So we are in agreement with -- and continuing to recommend approval.

CHAIRMAN FRYER: Thank you.

Anything further for staff?

(No response.)

CHAIRMAN FRYER: If not I'm going to ask the applicant to come back, because I forgot to question a couple things. I don't think they're going to create a problem, but I wanted to. And it has to do with SIC codes.

MR. MULHERE: I'm pretty sure that's not in my presentation.

CHAIRMAN FRYER: SIC codes that you're asking for, and I think -- I don't think these are things that you want, but I'm going to ask you to remove them. Under use -- SIC Code 7299, which --

MR. MULHERE: Let me grab my copy.

CHAIRMAN FRYER: That's fine, sure.

This has to do with the C-2, of course. It's styled "miscellaneous personal services," which is always a dangerous place not to be real careful when you include it, but

it includes the following things: Dating services, restroom operations, steam baths, Turkish baths, tattoo parlors, comfort station operations, and massage parlors. Am I correct that we can remove all of those?

MR. MULHERE: 7299?

CHAIRMAN FRYER: Yes, sir.

MR. MULHERE: I don't have a problem with that.

MR. SHERER: Go ahead.

CHAIRMAN FRYER: Okay.

COMMISSIONER VERNON: It doesn't fit your business model?

MR. MULHERE: I'm concerned about the dating services, but -- oh, no. I'm good.

CHAIRMAN FRYER: All right. And then under -- you also asked use 8049, which includes acupuncturists, midwives, psychiatric social workers, hypnotists, lactation counselors, spiritual healers, and autopsy services. I take it we can remove those.

MR. MULHERE: Yes. What was that number again?

CHAIRMAN FRYER: That was 8049.

MR. MULHERE: Got it. Yes.

CHAIRMAN FRYER: All right. Thank you. That's all I have.

MR. MULHERE: Thank you. We like to just keep a few in there for entertainment purposes so you can find them.

CHAIRMAN FRYER: Well, thank you.

All right. Let's see. We've had the report, and it's time now to look to Mr. Youngblood and see what we have by way of registered speakers.

MR. YOUNGBLOOD: I have one registered speaker, Mr. Chairman, Barry -- excuse me, Barry Berggren.

CHAIRMAN FRYER: Mr. Berggren.

MR. BERGGREN: Yes.

CHAIRMAN FRYER: Your reputation precedes you, sir.

MR. BERGGREN: Sorry about that.

My name is Barry Berggren. I am the treasurer, not the president --

MR. MULHERE: Oh, sorry.

MR. BERGGREN: -- of the Sherwood Master Association, and they've asked me to come here and speak on behalf of our community.

I have to compliment Bob. He did a great job with addressing most of our concerns. We do, however, have one major concern remaining and that -- he touched on that lightly with the backup alarms. I know we can't stop backup alarms. They're the law. But what we would hope to be able to do -- and it's not so much when a truck backs up for a few seconds. We're concerned about forklifts operating and going back and forth and unloading and loading pallets of merchandise. And if that could be limited to the east side of the building, that would give us a great deal of buffer against that sound. We have 104 units that border this property, and their lanais face the property. So you could have people out there having their morning coffee listening to the insidious beep, beep, beep that we all know is so annoying. And we just like to really try to minimize that as much as possible.

CHAIRMAN FRYER: Well, let's find out.

Mr. Mulhere, is that something that your client could agree to, limit it to the east

side?

MR. SHERER: So we have agreed to do our best, but I think what he's asking is that every single piece of machinery that has a backup alarm can never ever be on the west side of our building, and I can't guarantee that. We are going to unload on the east side. We're going to do our best to limit the noise, but 100 percent in writing guaranteed, and if we do that and then there's an alarm, and here comes a lawsuit because you have an alarm that went off one day, I can't guarantee you 100 percent. But we will limit to our best of abilities on the east side of the property.

CHAIRMAN FRYER: All right. How about best business efforts?

MR. SHERER: Meaning?

CHAIRMAN FRYER: Well, it gives you a little more latitude than the language you used. I'm trying to help you out here.

MR. SHERER: Okay.

MR. MULHERE: Do you want me to pull it up so you can see the site plan?

MR. YOVANOVICH: Yeah, but I just to make sure I understand the language. You're talking about just for deliveries, correct? You want the deliveries and unloading of delivery vehicles, whatever deliveries?

MR. SHERER: Movement of the pallets by forklifts.

MR. YOVANOVICH: That will be on the east side of the building, and we're okay with that to our -- yes, we're okay with that.

CHAIRMAN FRYER: Best business efforts?

MR. YOVANOVICH: Yes, sir.

CHAIRMAN FRYER: Okay.

COMMISSIONER VERNON: Yeah, I think he -- may I?

CHAIRMAN FRYER: Go ahead, sir.

COMMISSIONER VERNON: I think he's talking about the opposite of what you said. He's not talking about deliveries. He's talking about the stacks of stuff that's sitting there.

MR. SHERER: Loading, unloading, and moving the items around.

COMMISSIONER SHEA: He's talking about both.

MR. YOVANOVICH: So you were basically asking us to agree that any movement of pallets, either when they're being delivered or moving around on the site, will happen on the east side.

COMMISSIONER VERNON: Best business efforts.

MR. YOVANOVICH: Best business. And we're fine?

MR. SHERER: Uh-huh.

MR. YOVANOVICH: Okay. That's fine.

CHAIRMAN FRYER: Okay. Is that okay with you, Mr. Berggren?

MR. BERGGREN: Yes, that's fine.

CHAIRMAN FRYER: Okay.

MR. BERGGREN: It was also a little disturbing to just hear the news that large trucks can't use that first cut for U-turns, because now it means that Sherwood residents are going to be competing with large trucks making U-turns right in front of our property. I don't know what can be done about that, but it's -- that was one of the things that many residents were very concerned about.

CHAIRMAN FRYER: Is there a win-win here, Mr. Mulhere?

MR. MULHERE: Well, the only thing I can tell you is we're talking about one to three deliveries maximum per day, probably less, based on their current operations.

CHAIRMAN FRYER: How about that, sir?

MR. MULHERE: So it's really not going to be an inconvenience.

MR. BERGGREN: I mean, if it could be one or two deliveries a day, that would be fine.

MR. MULHERE: That's what he's experiencing right now.

CHAIRMAN FRYER: Okay.

MR. BERGGREN: Can we have a guarantee on that?

MR. MULHERE: No, we can't.

MR. BERGGREN: Can we have a guarantee that it won't be over four?

MR. MULHERE: I don't want to make any guarantees. I don't even know what's going on on Tract C-2 right now. So, you know.

COMMISSIONER VERNON: Well, if I can jump in.

CHAIRMAN FRYER: Please, go ahead.

COMMISSIONER VERNON: I think, even if it's four deliveries a day, a lot of them probably are going to be heading the other way. So just because there's four deliveries doesn't mean there's going to be four U-turns.

MR. MULHERE: Correct.

MR. BERGGREN: Well, according to the traffic study, 40 percent are going to want to head eastbound.

MR. MULHERE: That's half, less than half. So that's two turns if you have four deliveries.

MR. BERGGREN: Well, the traffic study says that that would be about 20.

MR. MULHERE: But that includes all traffic.

MR. BERGGREN: I understand that, yes. But we don't know what the mix will be.

MR. YOVANOVICH: Let's keep in mind, if we developed this under C-2 uses, it could be far more trips that would be unregulated on this site. So we're basically bringing in a use that has a relatively small amount of deliveries per day, far less than what could be done if we were to develop this as just a pure C-2 type use of the property, which would include gas stations and other things that have deliveries as well.

CHAIRMAN FRYER: Mr. Berggren, in my opinion, you've gotten a lot of concessions here, and we never get 100 percent of what we want, but I think you've done pretty well for yourselves. Just my opinion.

COMMISSIONER VERNON: I think that's a fair comment.

CHAIRMAN FRYER: Thank you.

Anything else, then -- do you have anything else you wanted to say, sir?

MR. BERGGREN: I do not.

CHAIRMAN FRYER: Okay. Thank you very much for your comments.

MR. BERGGREN: Thanks for your time.

CHAIRMAN FRYER: Mr. Youngblood?

MR. YOUNGBLOOD: I have no other speakers for this item, sir.

CHAIRMAN FRYER: Okay. Anyone in the room who is not registered to speak wish to be heard on this, now would be the time to raise your hand.

(No response.)

CHAIRMAN FRYER: Seeing none, we will close the public comment portion of this hearing, and it is our turn to deliberate and at the appropriate time entertain a motion. Planning Commission?

COMMISSIONER SHEA: I move we accept it with the caveats, which I didn't write them all down like you did.

CHAIRMAN FRYER: Okay. If there's a second, I'll try to go through these.

COMMISSIONER VERNON: Vernon seconds.

CHAIRMAN FRYER: Okay. So I think what we've got here -- the bullet points are going to go into the ordinance somehow?

MR. MULHERE: Yeah, they're going to be developer commitments or on the master plan, yes.

CHAIRMAN FRYER: Okay. Good. And with regard to -- where are my notes --

MR. MULHERE: I have a list, if you want me to run through them, and I added your comments, your language to a couple of them that you --

CHAIRMAN FRYER: Please.

MR. MULHERE: So the first one is we agree to an actual building height limitation of 35 feet.

CHAIRMAN FRYER: Right.

MR. MULHERE: The second one is -- that one's already in there. That one's already in there. The limitation of hours for delivery and for operating hours apply only to Everglades Equipment Group and not to other uses.

CHAIRMAN FRYER: Yes.

MR. MULHERE: Let's see. Signage shall be installed at the -- I'm only doing the ones that had changes. The ones that are already in there, I'm not going over.

CHAIRMAN FRYER: Well, if I may, you're going to put the counterclockwise?

MR. MULHERE: Yeah. That's what I was just going to say. Signage shall be installed at the time of SDP directing delivery trucks to turn right at the easternmost driveway on Tract C-1, routing them counterclockwise around the building and directing them to exit the site utilizing the shared access with the bowling alley.

CHAIRMAN FRYER: Right. So it would be in from the east and out from the -- to the south.

MR. MULHERE: Yes.

CHAIRMAN FRYER: Okay. And then the uses that you agreed to withdraw from --

MR. MULHERE: Yes.

CHAIRMAN FRYER: -- 7299 and 8049. We do need to go over those.

MR. MULHERE: No. And there was one other addition, which is the operator of the -- I'll use the SIC codes, because it's -- under SIC code, it's a retail nursery. So it's best to use the SIC code rather than a business name in this stipulation.

CHAIRMAN FRYER: Oh, okay. Instead of ag and turf?

MR. MULHERE: I can certainly put that in there, but there is an S-I-C code that we're using.

CHAIRMAN FRYER: Are they the equivalent?

MR. MULHERE: It's for retail nursery.

MR. BELLOWS: Yeah. For the record, Ray Bellows.

We should be referencing the SIC code, because the business name might change over time.

MR. MULHERE: I can parenthetically put in ag -- I mean, "turf operation."

CHAIRMAN FRYER: Good. I think that would be good, okay.

MR. MULHERE: And then -- so what I wanted to say was just to use the SIC code and say "best business practice will be utilized to minimize the effect of backup alarms and similar noise intrusion."

CHAIRMAN FRYER: I think that's reasonable. All right. Do the movant and the seconder accept those conditions?

COMMISSIONER SHEA: Uh-uh.

CHAIRMAN FRYER: Okay. So I think the -- yes, sir.

MR. BERGGREN: Sorry. There was one more item that we discussed, and that was the no dust surfaces.

MR. MULHERE: Oh, yes. I'm sorry. Yes. We will prohibit -- oh.

CHAIRMAN FRYER: Bags only.

MR. MULHERE: No, that's -- well, I didn't make that note. No, that's the bag mulch. I have that one. What Barry is talking about is they had a concern about whether or not the areas for access and parking would be a dust-free paved surface. Now, I've assured him that that's required by the county, and that will happen. So it's belt and suspenders to put it in as a condition. It is required that those be paved.

CHAIRMAN FRYER: Okay. But we're talking about two different things then, because we were also talking about bag versus --

MR. MULHERE: That is a new -- that is a condition we agreed to, to no bulk sale of mulch.

CHAIRMAN FRYER: Mover and seconder, are you okay with this?

COMMISSIONER VERNON: Yes.

COMMISSIONER SHEA: (Nods head.)

CHAIRMAN FRYER: All right. Then I think we're ready to -- unless there's further discussion, we're ready to vote. All those in favor of the motion to approve both parts of this, the GMPA and the PUD, with the conditions as they have, I think, been clearly announced, please say aye.

COMMISSIONER SHEA: Aye.

CHAIRMAN FRYER: Aye.

COMMISSIONER VERNON: Aye.

COMMISSIONER SPARRAZZA: Aye.

CHAIRMAN FRYER: Opposed?

(No response.)

CHAIRMAN FRYER: It passes unanimously. Thank you, applicant.

Thank you, HOA president [sic], vice president, whatever you were, official.

MR. YOVANOVICH: Treasurer.

CHAIRMAN FRYER: And thank you, staff.

***Okay. So let's see. We've got some time to start the AUIR, and I think maybe we ought to talk about how we want to proceed on this. I've been assured by Mr. Bosi that the county's ready to pretty much do it the way we want, whether we want to have presentations by section or we want to go through by page or how we would like to address this and at the end whether we want to reserve the right to come back and reopen some of

these things after further study, it being recognized that the Board of County Commissioners has charged us with, really, developing a level of expertise so that we can really add value to this process and to be sure that we have spent adequate time so that we can do what we've been asked to do by the BCC.

Anybody want to weigh in on that?

COMMISSIONER SHEA: I think some of the more critical ones, like transportation that has -- is complicated, it would be good to have a presentation. Maybe some of the others it's not as critical, like solid waste maybe.

CHAIRMAN FRYER: Well, actually, that's one where I think we're going to want to have a presentation.

COMMISSIONER SHEA: Really?

CHAIRMAN FRYER: Yes.

COMMISSIONER SHEA: Well, she's here.

CHAIRMAN FRYER: All right. Well, let's do this.

Mr. Bosi, if you would -- if you would mention the section that's next up for us to consider, and then we can decide at that point how much of a presentation we need. Would that work?

MR. BOSI: Like I said, it's the discretion of the CCPC. We can follow that. I do have to let you know that Ms. Scott has a 2:00 to 3:00, so we'll probably have to skip transportation and come back when she gets back after her 2:00 meeting.

CHAIRMAN FRYER: And she informed me of that, and that's what we'll do.

MR. BOSI: Okay. Thank you.

Mike Bosi, Planning and Zoning director.

We are here for the 2022 AUIR. AUIR is an acronym that represents the Annual Update and Inventory Report. This is the county's means to make sure that the levels of service that people will receive from our service providers and our infrastructure providers are maintained at an acceptable level.

The list of the divisions and agencies that contribute to the AUIR: Road and Bridge, Stormwater Management, Potable Water, Wastewater Collections, Solid Waste, Collier Public Schools, Parks and Recreation. And all those that I mentioned there, those are all your Category A facilities. They make up your concurrency management system, which I will get into a little bit later.

And then we have our Category B facilities, which are jails and correctional facilities, law enforcement, Collier County Sheriff's Office, libraries, EMS, and government buildings.

And we do have a Category C facility that is a -- was an add-on about four or five years ago specifically trying to make sure that we were maintaining an acceptable level of beach renourishment, and so it's Coastal Zone Management.

The AUIR is an annual one-year snapshot in time of projected needs and required capital improvements for the next five years based upon the projected population increases against BCC adopted levels of service. It should be noted that this snapshot changes as the changes in demand equation evolve. What also changes is cost. So what you're going to see is estimates for what the cost of these individual projects are.

I can tell you right now, it's not right to the decimal, because what the project's going to cost in three years, what the project's going to cost in four years, or what the project's going to cost in two years or even one year -- and I think everyone has been to the

store, has purchased items and understands that we've got a fluctuating rate of inflation, so we have a fluctuating cost of services, we have a fluctuating cost of materials.

So what we try to do is at the time estimate what we expect costs could be from a reasonable perspective and what our expected revenue sources would be and do they come close to marrying up.

So what we declare today as what our expenditures will be over the next five years, it's going to change next year. It's going to change the following year. But it does give assurance that we have identified the projects, identified the approximation of what those costs would be, and that we do have revenues sufficient to satisfy those costs.

And, please, if you have any questions as I'm going through the PowerPoint, interrupt me.

CHAIRMAN FRYER: Commissioner Vernon.

COMMISSIONER VERNON: So if you're going to build -- think you might build a bridge in three years, are you -- in this report are you trying to guess, educated guess, what it will cost three years from now, or are you telling us this is what it costs if we built it today, we're going to build it three years from now, and we don't know what it's going to cost?

MR. MULHERE: Everything's projected in today's dollars. So we projected the bridge would cost \$36 million.

COMMISSIONER VERNON: If it were built today?

MR. MULHERE: If it was built today.

COMMISSIONER SHEA: So you don't inflate anything. Even the five years out, you don't inflate it.

MR. BOSI: No.

COMMISSIONER SHEA: And when you do the numbers five to 10 years, that's still today's -- I mean, it's almost a meaningless number for us, if that's the case.

MR. BOSI: It's not a meaningless number. It's a meaning -- it's an approximation, and we try to, like I said, approximate what our revenues are going to be. And the reason why it's not a meaningless number, we do it again next year. We do it again the following year. Every year we update what our estimates were, what those costs were, and so you feel and you see the changing dynamics of what cost is, how much it costs to build any one of these commodities.

So what we've always said, where you want to put your most reliability is at year one and two, because once you get to year three, there's so much more uncertainty within it. But year one or two, I'm not saying you could probably go up to the decimal level that it's going to be the exact cost and that it's going to be the exact revenue that we're going to have, but they're very good approximations based upon the environment and the influences that we're experiencing.

What's included, as I have said, when I listed the Category A facilities, which make up your concurrency facilities, roads, drainage, potable water, wastewater, solid waste, parks, rec, schools, and that's all tied to your Capital Improvement Element.

Within your GMP is the Capital Improvement Element. Every year the Capital Improvement Element is required to be updated, and we have to dictate that we have -- for the first two years, that we have the revenues to be able to build and construct the projects we say that we are going to.

Category B, non-concurrency, aren't obligated to the same level of assessment, are

not included within the Capital Improvement Element of the Growth Management Plan, and C is another non-concurrency facility.

So what is concurrency? Facilities and services necessary to maintain the adopted level-of-service standards that are available when impacts of development occur which are contained within the CIE policies in the Land Development Code.

Staff's proposing no recommended changes to the levels of service but what those are geared for. So say, Mr. Sparrazza, you were a snowbird for a number of years and you came down, you kept dipping your toes into Collier County. You liked what you felt, you liked what you saw, you thought the services, you thought the parks, the infrastructure were adequate, and you got used to it, and you wanted to become a full-time resident.

Well, we adopted these levels of service to be able to assure to our citizens the things that you've grown used to, that you've grown accustomed to in terms of how we could deliver those services to you as a governmental provider, that we're going to maintain those moving forward.

And the concurrency requires that we make sure that we have a checkbook and that we have the ability to handle the demand, and we have the ability to satisfy the revenue to add the new facilities based upon what that expected demand is going to be so the Collier County that you were first attracted to at least can provide you the same levels of service as you move forward.

Now, it may -- the experience may change as we grow in population, and I always say, as we've changed from a small fishing village to a 400,000-person diverse economy with a seasonal population that inflates to close to 500,000 people, but the levels of service are meant to be able to maintain over the course of that, and that's based upon concurrency.

And that has -- and the concurrency management component was the heart of this mantra where we've always said, growth is going to pay for growth. And you, as a citizen, why does that mean something to you? It means that the newcomers are being assessed their proportionate share of what the expansion of the infrastructure requires to handle their proportionate share of the demand that's being created.

So there's a relationship. They're creating more demand on an incremental basis. We're charging -- we have a system, and it's related to impact fees, that charges based upon what that expected demand for that 2,000-square-foot house is going to have on any one of our facilities to be able to maintain that and be able to maintain the levels that we feel -- or that the county has deemed acceptable.

Part of the other equation is not only what your level of service is, but your level of service, for the most part in most of the facilities, are tied to population, because population growth is what drives the demand for the additional services. The more people you have, the more trips that are on the road systems. The more people that you have, the more demands that are on your park system, the more demands that are on your sheriff, the more demands that are on your EMS. So as our population grows, the number of demands grows. And we have to -- we have to estimate over the five- and 10-year period what we expect those populations to be.

So another aspect that -- the year we present it, we expect it at 29,000 people over the next five years. Five years from now, it might not be 29,000, but it will be within that -- within that range, we hope, and each year we continue to do it, and we try to refine it. So it's another assumption, and this is why I talk about this is a snapshot in time.

What we expect this year in the costs, what we expect this year in population,

there's going to be some changes going into next year. And please don't accept that as let's discount this effort, because it doesn't discount the effort. It just puts the effort -- it puts the AUIR and the CIE in a more understandable perspective.

Whenever we try to look out beyond two or three years, the number of factors that we have to assume become a little less dependable, so -- and it's another one of the reasons why we do this every year.

And so where we get our population is from the University of Florida, the University of Florida's Bureau of Economic and Business Research, affectionately known as BEBR. We utilize a BEBR median population projection, and then we have a seasonal projection. The seasonal projection is measured right around 20 percent. And how we arrived at that 20 percent -- and it's been maintained for -- I've been doing the AUIR for a decade and a half, and it's been at 20 percent. Just a little sidenote, in the early 2007, '8, '9, we were BEBR high population number. BEBR said, as you've gotten past 250-, 300,000, your rate of growth starts to change, so we've shifted to a BEBR medium.

But those population -- that seasonal population -- and we look to our Transportation Department and our Utility Department as really the backbone, the basis for measuring how we arrive upon that 20 percent. And we do it by actual demand numbers. We look at the trip counts that are on our counting stations throughout the county. We look at the water usage demand from month to month, the potable water, the solid waste disposal, and those arriving -- based upon all those factors, we feel confident that that 20 percent is the right number for our seasonal influx.

And this is a -- this is a chart, and it talks a little bit about the changing projections as to what our population numbers are and how the one-year AUIR is a dynamic initiative. For the most part, for the past 10 years, even 15 years, we were right at under 2 percent of population growth on an annualized basis. You look at 2017, it's 1.97; 2018, 1.92; 2019, 1.92; 2020, 1.9. And then you hit 2021 -- this was before the 2020 census was incorporated within BEBR -- it notched down a bit to 1.77.

What surprised me, when we get our BEBR numbers, was our 2022 numbers, their annual population growth, 1.51. BEBR is looking at Collier and saying your rate of growth percentage-wise is going to continue to -- is going to start to trickle down.

Now, the laws of large numbers dictates that somewhat. As you get over 400,000, that 35- to 40,000 you were expecting in a five-year period starts to become a much -- a smaller percentage of your whole. So that's a natural function of as individual places grow, but I did find it significant.

And the other aspect that I want to talk about -- and I spoke about the 2020 census. And this happened back in 2010. Back in 2010 when the census came out, we found that we actually were planning for more people, a larger population than what we actually had. That's a good thing from a service provider. That means -- that extends the life of your infrastructure provider saying we can push out our projects a couple -- a couple years till the out-years, because we were actually -- we were actually able to handle more people than we actually had. So the next level of -- the next wave or next level of improvement can be pushed out a bit.

If you look at it, the second column is the BEBR-based projections. That's the years -- that's this year, the 2022. They said our population is 388,000. Last year, we were planning that we had a permanent population at 394,000; in 2020, of 384-

So we have -- we have more capacity within our infrastructure than what our

population was actually demanding. So in that regard, it gives us a little bit of -- it pushes out a little bit that next increment of improvement, and it's happened the past two decennial censuses.

CHAIRMAN FRYER: Mr. Bosi, I, for one, and probably others up here, have relied extensively on BEBR numbers, particularly when it comes to persons per household, and I have just assumed that they have a scientific process that they use that leads them to a number that is beyond contradiction. However, in reducing the increments, as they have been doing, it seems to fly in the face of all the newspaper articles and stories that I see in the news about how everyone is leaving California and New York and Illinois, and they're coming to Florida.

And so I just -- should we be -- well, how satisfied are you as an expert in this area that BEBR can be relied upon to -- in my case, I rely upon it to the level of about 100 percent?

MR. BOSI: Well, I think whenever you rely upon any modeling effort at 100 percent, that's somewhat unrealistic. I think -- it doesn't make me question BEBR numbers. It makes me question -- it makes me realize that when you spend nine to 10 years before you true yourself up against another measurable, another outside measurable such as a census that goes to extraordinary length and that -- evidently, you drift a little bit away from what the actual reality may be, and that's just the -- that's just a -- I don't want to say a fault, but that's just a reality of modeling.

And each -- the last two decades, each time the census numbers have helped trued our population up, and it has reduced them somewhat. Not tremendously. I mean, if you're looking between -- I mean, we're talking about maybe a one, one-and-a-half percent difference in total population. That's not a significant -- that's not a hugely significant -- statistically significant delta when you're dealing with a population of 400,000, but it does show you that there has to be a grain of salt within the modeling effort.

When we talk about it -- about the economic modeling related to the SRAs, it's the same thing. We're trying to look out 30 years. And it's almost a near impossibility to have an accuracy of a standard deviation of one or two. You're just a little -- you have a wider berth. But it's not like we take that, and we -- and we put the exercise away and we don't do it again for another five years. These are done every -- it's done every year. So there may be small discrepancies between what the reality is and what we're modeling, but we're close enough towards where we're not -- and we're not finding ourselves deficient in a way that that would say these numbers have led us down the wrong road in that regard.

CHAIRMAN FRYER: Commissioner Vernon.

COMMISSIONER VERNON: You do know that University of Florida's the biggest party school in the country, right?

CHAIRMAN FRYER: Well, that explains it.

COMMISSIONER VERNON: Okay. So, but --

COMMISSIONER SHEA: I thought that was the University of Arizona.

COMMISSIONER VERNON: It's close. Florida State's in the mix, too.

Joking aside, you know, I think these are probably better for us to rely on than what we do hear in the media, because a lot of that's sensationalized. But this is a little surprising to me, and I do agree with you, the bigger we get, the percentages will probably come down because that's the way percentages work.

MR. BOSI: Yeah.

COMMISSIONER VERNON: So I forget about the percentages for a minute. I look at the first two columns, the BEBR-based projections for these years and the following five years, the first column after the BEBR-based projections. And I'm looking at, you know, 8-, 10,000 up, 8-, 10,000 up in terms of raw numbers, 8-, 10- up in terms of raw numbers, and it's really pretty consistent. You know, we're adding about, let's say, 7- to 10,000 people a year.

But then I get to 2022, and for the first time we've got a drop in '22, and I guess they're predicting '23 a drop in -- of about 6-, 7,000, which to me is an anomaly. So I don't know that you guys have talked about what do you think is causing that?

MR. BOSI: Well, if you're asking me my opinion of what's causing that, affordability. I mean, we have people moving from, you said -- from New York, from California, from these other states, and we have -- a percentage of them, 5, 10, are extremely affluent, maybe the majority of those folks are working-class folks.

Irma -- not Irma, but Ian only exacerbated a problem that I think's going to continue to trouble this county and trouble this state, is affordability. And I think what you find is the affordability issue within Collier County has a factor within some of the projections and the number of people that are moving to the state and housing availability within those affordable ranges. I think it has most certainly a factor into it. It's not the root cause of it, but it most certainly factors into a decreased -- a decreased population of what is expected over the next five years.

COMMISSIONER VERNON: So just so I understand what you said, I'm going to repeat it back from my perspective, that even before Ian, that even though people are moving to Florida because of -- for whatever -- a number of reasons, they may choose not to move to Collier County unless they're more than just middle -- upper middle class. They're very affluent and can afford housing, and that Ian may exacerbate that and make it even worse?

MR. BOSI: I think the issue of affordability -- and I know the Governor is contemplating calling a special session -- not contemplating; I believe he is calling a special session for the Florida legislature to try to get their hands around the insurability issue because I think that's going to continue.

I've always said -- and this isn't an alarmist. This is just, I believe, a reality, and I think we'll be able to work through it. But I've always thought that the only thing that could derail the population locomotive that is Florida and the population increases is insurability in relationship to affordability.

And this state, having lost a number of insurers this past year, I think we probably expect some more, and we start finding ourselves in a situation towards where citizens' insurance almost starts to become the default if it continues this trend, if -- this continuing trend of losing private insurers.

And this is a much larger macro issue than at the local level, but there's a concern at the local level. And I know from the Governor's perspective and him calling a special session for the legislature to try to get their arms around this in a more meaningful way I think only kind of speaks to some of these issues. I think there's solutions, and I think they will be able to find solutions, and I think we will be able to find solutions.

And the desire to come to live in Southwest Florida is not going to abate, and we'll still have population increases, but it's going to be something that we're always going to have to be mindful of and attentive just -- I mean, I've said it a number of times to this

board, we're importing 45,000 people a day to fill our economic needs. That shows -- those are 45,000 people that probably would rather live in Collier County because that's where they work, if there was housing affordability. But because of -- because of supply and demand and balance, those locations towards where they could afford are Lehigh Acres, more in Lee County.

It's just some -- I mean, we have employees living in Collier County -- or Cape Coral, Hendry County, DeSoto that commute in. And that overinflates our transportation issue, because most of those folks aren't coming in carpooling. Most of those folks are coming in in single-family -- or single-person occupancy vehicle, and they're driving farther destinations across our roadways to get to their place of work, and then they're, at 5:00, going back to wherever that location is.

So I don't want to be an alarmist in the least bit, but I do think that that's some of the things that has influences. Because when I saw these numbers, I was surprised. I mean -- and I know the law of large numbers, you know, decreases your population, but we went from one point -- we were a constant for four years up until 2020 in 1.9 to 1.97, and then last year we went to 1.77, and this year 1.51. That's a precipitous drop in expected populations.

COMMISSIONER VERNON: It actually went down, raw numbers, for the first time --

MR. BOSI: Yes.

COMMISSIONER VERNON: -- in recent history.

MR. BOSI: Yes.

CHAIRMAN FRYER: That's a good discussion.

Before we proceed further, I want to find out from those who are in the room, members of the public, everyone who wishes to be heard on the AUIR, would you please kindly raise your hand.

Okay. I see one hand, Ms. Olson. And I'm going to ask you, Ms. Olson, if you wouldn't mind just coming to the microphone and telling us very briefly what the subject is you want to talk about so that we can be sure to have the proper people here when the time comes for you to speak.

MS. OLSON: Sure. It will be about the potable water and wastewater expansion projects.

CHAIRMAN FRYER: Okay. Thank you.

MS. OLSON: Thank you.

CHAIRMAN FRYER: So we want to be sure to get to that. I'm looking at -- and, again, I'm looking also at my planning commissioners, that I think we should try to adjourn at around 4:30 and see what we can get to and certainly try to get to the matter that Ms. Olson wants to talk about soon, because I know she's been here all day.

And you're the traffic cop, Mr. Bosi.

MR. BOSI: What I was going to say is, I'll wrap this up at 2:30 for our break. When we come back out, the -- first out the gate I would recommend, and per order of the AUIR, would be Public Utilities, Potable Water, and Wastewater --

CHAIRMAN FRYER: Good.

MR. BOSI: -- Solid Waste to be able to give, you know, if you guys -- however you want to do it. Whether you want presentations from them or whether you want questions, that will be the prerogative of the Board. But that will be out the gate, that's

what we would expect.

CHAIRMAN FRYER: Very good. That's what we'll do after our 2:30 break. And do you want to say some more things, sir?

MR. BOSI: Yep.

And just to give you an oversimplistic example of how we make those determinations of what we build, library is always my favorite because it's pretty straightforward. What we say is our level of service. And our levels of service are mostly population based. So what our level of service is for libraries, we say for every person that's in Collier County, we're going to have .33 square feet of library building. That's our level of service. So for our five-year projections, we're expecting 29,386 people to move here. We need .33 square feet for each one of those. We just take 29,386, we multiply by .33, and we say, to maintain our level of service, we need 9,697 square feet of library.

COMMISSIONER SHEA: So is that .33 just taking today's population and today's square footage and assuming that that service level is adequate?

MR. BOSI: Yes.

COMMISSIONER SHEA: Okay.

MR. BOSI: Yes. And that's one of the things that we ask. And it's a tough task, but we ask the Planning Commission, if you think that our levels of service are too high or too low, make recommendations upon it.

What I will say for libraries, because the south library and the size of the south library, we've been pretty satisfied. So we have enough capacity to absorb this 9,697 additional square feet without adding any additional. We were -- we had more library space than what our population was demanding last year. We have excess -- we have excess within the five-year period to be able to handle that.

COMMISSIONER SHEA: So how do you crank in actual usage? I mean, if you're -- per so many square feet, only half the people are going, you're not -- your level of service is much higher.

MR. BOSI: That's always been -- that's always been the dilemma, and Transportation and Public Utilities are the smart kids on the block. They are the ones who have been able to figure out how to utilize -- how to utilize actual usage rates, population, and a number of different -- and actual demand into their equations to make the determination.

For most of our Category B facilities, we just use straight population. Parks uses a straight population. And I can tell you in 2011 I did a level-of-service comparison for the AUIR. We looked at 67 counties, and you'll be happy to know that we're the only county that does it. We're the only county that spends so much time trying to communicate with the public to say, this is how we're going to maintain the sense of place.

But most, if not all, capital improvement programs are all population based. So it's a -- like I said, library offers a good example of how -- the simple math equation. It's just math. That's how we determine how much we need. And we have made adjustments to levels of service to different components.

A good example would be, there used to be a time when we had a constant level of service for EMS, and it was eight minutes, but the majority of our COs started to happen out into the rural area. Well, trying to maintain a level of service for an urbanized system that starts to now provide service in a more rural, extremely suburban type of setting, that's

a cost nightmare for a locality. So we had to recognize that if you live in a more rural area, if you're spaced apart, if you have larger lots, that it's unrealistic to be able to have that urban level of service. So we have a 12-minute response time for our rural districts, and we have an eight-minute response time for urban districts.

CHAIRMAN FRYER: And as we'll hear from Chief Butcher, I know we're talking about the time to ALS response arrival.

MR. BOSI: Yes.

CHAIRMAN FRYER: Okay. While I -- I'm sorry I interrupted, but Commissioner Vernon's been signaling.

MR. BOSI: No worries.

COMMISSIONER VERNON: I guess one of our jobs is to -- is to comment on this and make recommendations. So libraries -- and I certainly don't want to offend any librarian, but my perception is over, you know, the last 30 years -- and I could be dead wrong. I never studied it -- libraries are used less than they were used when I was a kid.

MR. BOSI: They're used differently, and they have less foot traffic. There is more -- I have a -- I have an app that allows me to interact with the library system. I don't have to go to the library. I can rent out books for two weeks at a time electronically. So I utilize the library on a regular basis, but I don't go to the library.

So it is shifting, and our library system recognizes that, and it is a constant developing narrative. And I think our folks within the library would admit that, and we can talk about some of the other trends that they are seeing in that regard as well when they come up, and maybe you could have some questions regarding that.

COMMISSIONER SHEA: So that would mean the .33 would be adjusted downward. If what Commissioner Vernon's talking about is happening, you'd need less square footage.

MR. BOSI: Yeah. I mean, and one of the things you look at, within our AUIR, we give usage. We give usage statistics. And you can see there has been decreases within the utilization of the libraries. So at some point in time, it could be appropriate to say we need less library space. We maybe need more electronic materials. That could be a recommendation that comes from the Planning Commission.

COMMISSIONER VERNON: Well, that's what I'm thinking. But what you said is purely anecdotal. But, I mean, you were giving probably a good example of what I was trying to say. And so maybe we don't need less funding but, yeah, maybe we just need a warehouse way off in the distance somewhere, and we don't need -- I mean, it's just -- if we just follow this based on incorrect assumptions, then we may be making improper designations. And I do think libraries is a little unique, you know.

Like, to me, fire service is a little more linear. Traffic's a little smart kids on the block comment. But this is one maybe we do want to -- even though it may -- and, again, I don't want to offend library people -- maybe feel a little less important than some of the others, but maybe one where we actually need to just not blow by it and say, well, you know, we're operating off assumptions that are no longer true.

MR. BOSI: And I think that was -- that would be a very meaningful discussion the Planning Commission could have regarding that.

CHAIRMAN FRYER: I had the same observation about libraries, probably fewer books, what we think of as books and more like computer terminals.

MR. BOSI: Yeah. It wouldn't be a warehouse. It wouldn't warehouse. We'd

just need more service space because most -- the trend has been checking out books, not physical books, but e-books, and that just -- it's where the trends continue to go to.

CHAIRMAN FRYER: Undoubtedly, there are people who rely upon on depend upon the library as their only access to the Internet.

MR. BOSI: Oh, that is another aspect that they do, and they do find that that is a -- that's a continuous source of visitations is the usage of the computers that are within the library system.

COMMISSIONER VERNON: I just flagged that. Whenever the appropriate time -- and maybe in advance -- you can think about what I said and Paul said and the Chairman said. Maybe tell us what you think maybe we should consider so we're not operating off of bad assumptions.

MR. BOSI: Well, I will defer to the experts on that, but most certainly they've thought of this. They have contemplated. They spend time trying to understand what our levels of services are against what -- the actual experiences and the demands that are being experienced within our libraries and where those demands put their focus.

COMMISSIONER VERNON: And they'll be presenting to us?

MR. BOSI: They're part of the AUIR, whether it's a full presentation or just responding to questions and providing feedback to the Planning Commission on some of the questions you may have.

COMMISSIONER VERNON: Well, I guess I'd want -- I don't need -- I just want recommendations.

MR. BOSI: I'm not sure if they -- I'm not sure if they have a recommendation to modify their level of service. Like I said, I haven't -- we haven't broached that subject with them, but it's something the Planning Commission most certainly is well within their purview to explore with our library staff.

COMMISSIONER SHEA: Is that the same level of service you've been using for the last few years?

MR. BOSI: Yes. Point 33 square feet, yep.

COMMISSIONER SHEA: And I would support that same question. We should --

COMMISSIONER VERNON: I don't want to spend a ton of time on it, but I just think it's something we could probably make a difference on, and it's something that if you guys come to us with proposals and an opportunity to ask questions, we could kind of go through it pretty quick, I think.

MR. BOSI: I'm not sure if they have proposals, and there wasn't -- they prepared the AUIR based upon what is. They have not prepared, that I know of, any -- they're not -- they haven't proposed the modifications to the levels of service. If you are looking for that, what would be more appropriate, bring back recommendations as part of the next AUIR so we could evaluate and make an informed decision in terms of adjustments to the level of service, or if that's something -- I mean, I think you need to interact with the library staff to see where that dynamic -- in terms of what you're looking for, what time frame they could bring that back to you.

COMMISSIONER VERNON: Well, I'm --

COMMISSIONER SHEA: Can we just ask you to do it and come back and tell us?

CHAIRMAN FRYER: You don't have anything else to do, do you, Mr. Bosi?

MR. BOSI: No, I don't have anything.

And I don't work within the library system, but I could help coordinate. We could help coordinate that type of an effort. And those are the type of things that, as we're going through, another thing -- the benefit of -- and so the libraries aren't proposing any expansion. So there's zero dollars being expended. There's zero dollars being expended over the next five years for libraries.

So from that perspective, there's no ticking time bomb or clock on this. We're not -- next year -- if you approve libraries, we're not saying we're spending X dollars on -- we're spending no more money. We have sufficient capacity. But if you ask the library system to say over the next year you understand our concerns, you know where our focus is, could you -- could you bring back a suggestion upon a revised level of service based upon some of the discussion points that you have, that, to me, would be something that they could -- give them time to be contemplative and thoughtful of what their recommendations would be based upon the data gathering and all the things that you guys talked about.

COMMISSIONER VERNON: Yeah. And I'm not necessarily even advocating change of level of service. I'm advocating that the output from the equation shouldn't be additional square feet necessarily. It could be something totally different.

COMMISSIONER SHEA: Just reevaluation, like you suggested.

MR. BOSI: Sure.

COMMISSIONER SHEA: I bet you're sorry you used that one as an example, huh, in your presentation?

MR. BOSI: No, it's still -- it's still -- no, it's still the simplest, and we're not spending any money over the next five years, so I -- you know, I feel okay recommending to you guys, let's wait on it. Let's make sure we're well informed. We're not -- it's not -- we're not expending any additional dollars. So we're not losing anything, you know, if we bring back a package that's wrapped up and maybe is, you know, a little bit thought of, you know, on a couple different levels.

CHAIRMAN FRYER: Commissioner Sparrazza.

COMMISSIONER SPARRAZZA: I believe earlier, Mr. Chairman, you were discussing for us to think about a procedure on what to do and move forward not only this year in 2022, but what are we looking at for 2023, '24, '25. This may be a perfect example of, you know, we know we're not in any trouble right now because we are not devoting any funds towards, quote, new libraries. But for 2023, could this be a subject of, hey, CCPC, we have reevaluated and we would like to make changes or suggestions. I'm sure we could see that in, quote, library buildings, but as we look forward to a new procedure, there are, I'm sure, other topics that we want to say, this year's fine, let's look towards next year for a new algorithm or something. Is that --

CHAIRMAN FRYER: That is absolutely on point, and I think what I would also say is whatever we recommend, that's our authorship. We get to decide what our recommendations are. Now, there are some guidelines that are in this material, and they are very helpful. But this is one opportunity, and we've thought about reactive versus proactive. But this is a place where the Planning Commission doesn't have to act like a court and wait for people with disputes to come in and we decide on them. This is an area where we can ask for further inquiry into particular subjects such as, in this case, libraries, how you measure future need.

And so when it comes time either today or at the next meeting for us to finalize our recommendations, I would hope the people up here on the dais would make notes of the things that they want to be included in those recommendations, because they will be ours.

And with that, it's 29 -- do you have -- fast or --

COMMISSIONER VERNON: Quick, yeah.

And maybe we take it in [sic] a comprehensive -- but the way I think is what Randy said is a great idea, and can we just say, okay, library, check the box, we're done talking about it, but the only thing we're asking is when you come back next year for the AUIR, we want a report from the library group as though they're king for a day and that's -- this is how they want to do it going forward, and be creative, and then we're done with libraries for this year.

CHAIRMAN FRYER: Sounds good. It's 29 minutes --

MR. BOSI: Chair, I have three more slides. I can be done in three minutes.

CHAIRMAN FRYER: Well, all right. Okay. If that's okay with the court reporter.

THE COURT REPORTER: (Nods head.)

CHAIRMAN FRYER: We've got -- let's take a break now, and -- if you don't mind, and we'll be back at 40 minutes after 2:00, and so we're in recess.

(A brief recess was had from 2:29 p.m. to 2:40 p.m.)

MR. BOSI: Chair.

CHAIRMAN FRYER: Thank you, Mr. Bosi.

Let's reconvene. And you had three more slides, and then we're going to go into the Public Utilities and Wastewater.

MR. BOSI: So -- but it's not just population. We talk about how we determine the levels of service. And I mentioned Roads and Bridge, Wastewater, and Water. They not only utilize population, but trip counts. And it's -- you know, it's collecting multiple times per year, trip bank reservation capacity, how much volume is a roadway able to handle, what are the actual -- what are the trips that it's experiencing, what are the trips that have been banked upon past approvals within the local area. All those things come together to create our checkbook concurrency management system.

Wastewater has the same historical uses plus population, plus additional capacity. The Board of County Commissioners is very sensitive. You know, not all levels of service are equal. Your level of service for Parks is a good example. If you've got to wait for someone to get off of that swing to swing, it's not that critical of an appointment. But if you can't flush your toilet because there's already over-demand upon that system, that's an issue.

So, you know, Wastewater and Water is one where the Board of County Commissioners has directed the Utilities Department to be extremely conservative in terms of making sure that we have the capacity to meet the individual demands that we could expect.

Stormwater incorporates the basin studies of the water management plans that's also a set baseline.

Solid Waste -- you know, Solid Waste -- and they'll have their own presentations, but I've always said Solid Waste is like the success story that no one -- the general public doesn't talk about. When I first started doing the AUIR, it was 2017, 2018, and we had a projected end of life for our landfill at 2019, and trying to sit a new landfill, talk about

NIMBYism and a difficult endeavor. They have been so successful in raising the vertical height of it but also the management in coordination with Waste Management. I think -- and correct me if I'm wrong, Kari, I think 2062 we've extended the useful life of that landfill, and that's huge. That's huge. That gives us, you know -- I mean, we're talking 40 additional years to try to figure out what's the next step.

And we know within -- over that course of the next 40 years, technology's going to help improve us as well to maybe extend the landfill even a little bit longer. But I always thought that's one of the good-news stories that we don't tell often enough, which is tied back to -- and I'm really proud of -- you know, that recycling program that the county has has also been one of the best and most successful in the state of Florida. And think about the success that that has had and the benefit that has created to our landfill, extending the life, but also on the converse of that to the recycling and the reuse of already -- of materials in a way that is a much more intelligent approach than putting it in a landfill and letting it bio -- letting it decompose.

And then coastal zone is done by adopted master plans and sustainability standards.

All right. This last slide is -- it's an eye test. This is -- Exhibit A, your CIE, it's in your -- it's in your AUIR. It's towards the end of your Category A facilities. It has all the projects that we have listed for the next five years for our Category A facilities.

Just to give you an order of magnitude of what our projects are, right now the estimated cost of all the projects we have, \$1,643,958,331. That's what we expect in our next five years just our Category A facilities are going to spend to maintain our adopted levels of service. I think that speaks to the magnitude of the cost associated with maintaining the levels of service but also the type of -- the type of property values that are commanded within this county, and it has a lot to do with maintaining those levels of service. The value that that brings to the county, the reliance that people have that -- knowing that what they've experienced when they first fell in love with Collier is going to be maintained as they move forward.

And then, finally, recommendations. At the end we're going to recommend the Board approve the 2022 AUIR, approve Category A, B, and C facility relative to the projects, the revenue sources, make any improvements or suggestions that you would to levels of service such as our library discussion, approve the Category A facilities to be included as part of the schedule of Capital Improvement Element within the CIE, and find there are no inconsistencies with the Collier County Public Schools Capital Improvement Program and the Facilities Work Program.

And that's just the overview of the AUIR. I know we talked a little about different subjects. Any other additional questions? And if not, I'll just turn it over to our Public Utilities folks.

CHAIRMAN FRYER: Commissioner Shea.

COMMISSIONER SHEA: Just a general question. I would assume this was put together before Ian.

MR. BOSI: Correct.

COMMISSIONER SHEA: So have people come back saying, you know, now that Ian's happened, maybe we want to adjust it, or it didn't have that much of an impact on us?

MR. BOSI: Oh, we don't know that. We're not sure. The impact of Ian will be felt within the 2023 AUIR. We wouldn't -- we wouldn't have -- we wouldn't have as much immediate feedback. Where I can tell you it's going to have a significant impact,

your Category C facility, your coastal beach -- your coastal management, that's going to have a significant impact.

COMMISSIONER SHEA: Well, that will probably change that section of it next year.

MR. BOSI: I'm sure it will, and it may change other sections. But like I said, once again, the value of this county doing this in such a public manner on an annual basis -- we're the only county that does it.

Now, some people inside -- we're the only county that has an AUIR that talks about the Category A, which is your concurrency, your Category B, and Category C. Like I said, in 2011, I did a -- I called every -- 67 counties, and we did it. I have a whole -- we did a whole study of, you know, comparisons of levels of service, of how they approach their Capital Improvement Element, and I found that we are the only county that does this type and goes into this type of detail. And there's probably pros and cons to it.

But with that, I can turn it over to our Public Utilities folks.

CHAIRMAN FRYER: Thank you, Mr. Bosi.

MR. McLEAN: Give me a minute here to change up. Excellent.

Good afternoon, Commissioners. Matt McLean, your director of Public Utilities. I'm happy to be before you here today to go over the Category A potable water and wastewater treatment systems' AUIR.

Much like many -- every year that we go through this exercise, we review our level of service and, consistent with last year, the level of service on behalf Public Utilities is still projected as the same, 130 gallons per capita per day on the water side and 90 per capita per day on the wastewater side.

There's a lot of conservative initiatives overall that take into play with respect to that particular level of service that we utilize. There are some areas that, perhaps, may be a little bit less but other areas that may be, like, right on those numbers. What we look at is a very conservative approach with respect to how we continue to plan.

There are a lot of things that have happened over the course of the last several years with updates to building codes, et cetera, that continue to provide a lot of water conservation initiatives that have been built into, for example, the Florida Building Code with respect to low-flow fixtures, et cetera, where the utilization of water is not as much in a lot of the newer development as we have seen in some of the historical older sections of development.

Also, the utilization of our IQ water system where we utilize the reclaimed water that we produce out of our wastewater treatment facilities. Those water conservation methods, particularly irrigation ones, help to continue to provide us with a good review of our levels of service and how we continue to plan for the future.

Within Public Utilities, we have, overall, two major types of capital projects that we do on an annual basis that we continue to plan out, not just within the next five-, 10-year horizon but our overall master planning initiatives, and those are expansion projects and rehabilitation projects.

It's important to note that for those two types of projects, Public Utilities is essentially an enterprise funded business. User fees that are paid by the users of the water and wastewater systems are those that help support those rehabilitation projects as we continue to renew and rehabilitate our aging infrastructure within the system to make sure that we're still providing compliant water and wastewater services throughout our water

and sewer district area. So it's very important for us to be able to capitalize on those user fees for such rehabilitation projects.

The second source of funding is impact fees. Essentially, those are our growth projects where we're doing expansions of our water and wastewater treatment facilities.

And as we utilize those impact fees over time, we go back and continue to do updates with our fee study. So if, perhaps, either our user fees or our impact fee rates aren't continuing to be able to support the projections that we have, we go back through and do analysis of those, and from time to time they have been updated over the course of our continued planning efforts.

And so we continue to look at all of those particular projects and have been able to gain the continued support from our board on such projects to continue to provide the life, health, and safety water and wastewater infrastructure and service to our customer base.

So with that, I'd like to just give you a couple examples in this current AUIR that's before you on some of our rehabilitation projects that we're working on. We're very active right now in Palm River and Naples Park with some significant rehabilitation projects. We're getting ready to kick off two more streets in Naples Park this year as well as a couple areas within Palm River.

Golden Gate, we're also doing some significant water main improvement projects to some of the Collier County Public Schools that are out there as well as our continued overall asbestos concrete pipe replacement program. We have a lot of old, as I mentioned, infrastructure that's out there. A lot of that is that AC pipe. Part of our mission is to continue to remove that AC pipe, and we're happy to report that we're less than 10 percent AC pipe in our overall network, which is much less than most utility companies.

On the wastewater side, we're also doing similar type of renewal projects in Palm River, Naples Park, and Lely. We also have our North County Water Reclamation facility pretreatment renewal project that's actively going on at our north plant. That's a major upgrade to our headwork system. Multiyear project that staff's been working on, very important project for us as we continue to lead in the future.

We've also done several pump station rehabilitation projects, including emergency generator power upgrades. Those have been very helpful and important, particularly as we just went through Ian. We had a fantastic, great group of operations folks that were able to handle the loss of power that we experienced through Ian, and our continued improvements on our pump station renewal projects are a testament to our ability to be able to prepare for that moving forward.

Also, continued environmental type projects that we work on. Our air release valve replacement program to make sure that we're not having any issues with any types of spills, et cetera, relative to our sanitary sewer force main system.

System expansion projects that are before you within the AUIR this year include several as you look out at the five-year horizon. We have expansions of our Golden Gate water transmission mains. Collier County Public Utilities took over the Golden Gate water service area several years ago. There's a lot of areas within Golden Gate that currently still are on wells and septic systems. Our first phase of projected planning in Golden Gate is to get people water first so that we can get them off those potable water wells. Again, these are going to be multiyear, decade-long overall projects, and we have several of them that we're moving forward with the Golden Gate transmission mains. A couple of those are going to be kicking off in construction this year with ultimate

completion in 2024.

We also have a 5 MGD northeast regional water treatment plant that we're actively getting ready to complete the design on. That's projected out to be completed in 2028.

On the wastewater side for expansion, currently under construction is the 1.5 million gallon interim wastewater treatment plant in the northeast targeted to be completed here and open up ready for service in '24. We should be finishing up in '23.

And two other expansion projects, central county water reclamation facility, three-and-a-half million gallons. That's the one within Golden Gate City to expand the plant there. Again, that's part of our overall initiative to provide service within the Golden Gate City area. As well as our northeast county water reclamation facility for wastewater to continue to support the expansion of the utility in the northeast area.

And with that, I think I'm here for any questions that you may have.

CHAIRMAN FRYER: Planning Commission? Commissioner Shea.

COMMISSIONER SHEA: Just an educational question first. Have we updated our codes to require flow-reducing fixtures? Is that -- I don't know the answer to it. I probably should, but...

MR. McLEAN: The Florida Building Code has a lot of sections in it now that are requiring low-flow type fixtures, so yes.

COMMISSIONER SHEA: And we adopt it?

MR. McLEAN: Yeah, that's correct.

COMMISSIONER SHEA: Do you expect a rate increase?

MR. McLEAN: Well, I would say that rates never traditionally go down over time, as we've all experienced cost of doing business.

COMMISSIONER SHEA: I just said an increase. I didn't say --

MR. McLEAN: Yeah. I would say today we currently have established fees, and whenever there is any change with respect to fees, we do a full-blown study relative to those fees, and all of that information is presented through public hearing for any projected rate increases that may happen in the future.

COMMISSIONER SHEA: But you're not seeing that in the next couple of years?

MR. McLEAN: Oh, I'm certain that we're going to be entering into some fee studies, absolutely.

COMMISSIONER SHEA: Okay. How often do you do fee studies?

MR. McLEAN: Fee studies for Public Utilities, we don't have a regulation that we have to do them on any level of frequency. We're not limited to do them. Some of their types of impact fee reviews are limited in the number of times that they can come back to do fee studies relative to impact fees. Public Utilities is exempt from that particular provision. So if we wanted to do any type of fee studies, we could do them at any time when we felt that they were needed.

COMMISSIONER SHEA: So how -- when can you change fees? Who controls that? In other words, you're an enterprise fund, so you have to charge what you spend. How often -- who decides when you -- say you determine you need a fee, how does that get approved, a fee change?

MR. McLEAN: Very good question. I'll let Amia Curry, our director of services for Public Utilities, answer that one.

MS. CURRY: Good afternoon. For the record, Amia Curry, Public Utilities Financial Operations.

We generally do fee studies approximately every three years. We are anticipating we will be doing a fee study for user fees about a year early. So as soon as we have approval of the CIPs going forward with the AUIR, in addition to the impact fee study, we will also be initiating a user rate study to make sure that our fees stay where they need to be to support operations.

COMMISSIONER SHEA: It would be nice to see the track record of our fees, the curve.

So on this map that you submitted, I'm just looking at the colored versus the non, and you touched on it, which was one of the areas I wanted to raise the question on. When you look at the service area, the geography alone, I'm guessing all the areas that aren't blue -- well, that's -- are not covered -- are not colored in as part of a service area of a plant are on septic and wells, and it's a large area. And you started to talk about that. Do we have any plans to try and drive people away from private wells and septic? I know in the Golden Gate area, the lots are so large the economics just don't work well. But the environmental impact of having failing septic tanks, if you're having that, and all these individual wells probably makes it a little more difficult to manage the overall environment.

MR. McLEAN: Yeah, very good point. I mean, as the map that you're referring to is our current and future water service area map, that defines the overall district boundary and then shows where we currently are serving areas. There's a similar one for wastewater as well. And you're absolutely correct, there are definitely sections of, you know, the county that we currently do not have infrastructure in them.

Typically, what happens in those types of areas, if there are large developments that typically would come in front of you guys that are not within areas where we have infrastructure, we enter into developer agreements with those respective folks to talk about how those particular areas are going to be served.

If, we do, in fact, enter into utility agreements with those folks to do that, we work through those business points accordingly. There are other times where there perhaps may be an option where there may be an interim type of a plant, depending on the size and type of the development with respect to where we are.

With respect to the Golden Gate Estates question, from a business perspective, Collier County Public Utilities has taken a look at that and, economically, it does not make sense for us to run that infrastructure out there at this time, so we don't have plans to do that.

Within the Golden Gate City area itself, it is part of our plan to try to convert those folks, because we understand the importance of the bang for your buck, if you will, overall from an environmental perspective. There's a lot of very, very small lots very congested within Golden Gate City that have individual, very shallow potable water wells and septic systems that are side by side throughout the course of the community.

There is another section within Palm River right now. We're currently looking at a full public utilities renewal project for all of Palm River where that infrastructure has approached its useful life.

There's one area within Palm River that has several lots that currently are not served by sanitary sewer within our service district, only water, and we are looking to go through the design to, again, try to provide formal sanitary sewer to them and convert it over because, again, those particular lots are very immediately adjacent to some of the

Outstanding Florida Waters that we have within our overall drainage system to where we're trying to, again, put those environmental considerations forward in very strategic locations to help drop the nutrient loads.

COMMISSIONER SHEA: So when we do the -- I mean, I see where you're going to be servicing and extending the facilities out for a lot of the RLSA villages or towns that we've been approving. Is there any talk about pulling in some of the perimeter large Golden Gate Estates type lots in that are near by?

MR. McLEAN: Not the Golden Gate Estates lots, per se, but when you're looking at some of the major collector and arterial roadway systems that are along some of those corridors, Oil Well Road, Immokalee Road, et cetera, where you guys have seen rezone applications that have come in, those are ones that are, you know, obviously much closer to our existing infrastructure as we continue to expand plants, et cetera, within those areas not only from our regional water system, but also our wastewater treatment plant expansions. Those are ones that make sense for us at this time to continue to work with those folks moving forward to provide water and wastewater services.

COMMISSIONER SHEA: That's all. Thank you.

CHAIRMAN FRYER: Thank you.

Ms. Olson, would you like to speak at this time?

MS. OLSON: Yes, please. If I can come here. I've got to use the --

CHAIRMAN FRYER: Of course, either one.

MS. OLSON: -- projector.

Okay. Good afternoon, Chairman Fryer and Planning Commissioners. My name is April Olson. I'm here from the Conservancy of Southwest Florida representing our 6,400 member families.

I'm here today because we have a few questions regarding the 2020 [sic] AUIR that we hope can be answered, and the answers to our questions are important for providing the public with a transparent understanding of the total estimated cost of the Northeast Water and Wastewater Treatment Plant.

According to this table provided by staff to the BCC in 2021, the construction and design costs for Phase 1 of the Northeast Water and Wastewater Treatment Plant will be just under \$250 million, not including financing costs; however, \$250 million is just the start, because at the Longwater/Bellmar hearing, staff mentioned that there will be three phases of the northeast plant, which means that the costs for the northeast plant will certainly exceed \$250 million; however, we have found no documentation that lists the estimated costs for Phase 2 and 3. This documentation may exist, but we cannot find the information on the county's website or the water/sewer district's website.

And it's important for the public, specifically ratepayers, to understand the estimated costs for the next phases of the northeast plant, because the water and wastewater demand from the seven approved and pending villages and town will consume more than Phase 1's capacity.

So here is -- here's a slide of -- well, what we did is we took the public facility impact statements from the developers' documents and added the demand that each of these town -- the Town of Big Cypress and the villages, including IRRV, which I know have the GMP amendment approved, but not the PUDZ, and these are the number of their demand. And Phase 1 capacity for the northeast plant is five million gallons a day. And you can see that just the demand from the developer's documents from these towns -- town

and villages will already exceed Phase 1 of the project, which is this line right here, right there. Sorry. I think you can see. And then you'll also see Phase 1 is exceeded for the wastewater capacity as well.

And it is evident that the county is already planning for Phase 2 of the plant because Page 4 of the 2023 budget states, quote, Phase 2 of the eastern expansion of the county's Public Utility system will likely require some form of financing during the fiscal year 2023 and 2024, end quote.

So here we are to our questions on the draft 2022 AUIR. On Page 121 of the AUIR is Exhibit A, schedule of capital improvements for potable water system projects, and then I'll show you Page 123, which is Exhibit A for the wastewater projects.

You can see that the county will spend -- and I have it highlighted in yellow on the right -- 54.75 million for water expansion projects during the AUIR period and 127 million for -- 127 million for wastewater projects. Both documents show that the project costs are evenly balanced with the revenue, and you can see in orange that they're balanced.

But further down in the page, there's a statement in the box that's highlighted, and it says, expansion projects require additional funding; therefore, are not -- that are not included in this budget.

So Question 1 is, what is the estimated amount of additional funding that will be needed? Because we know we're going to be into Phase 2. Is it \$1,000 or \$250 million?

Question 2, as I mentioned previously, the 2023 budget states that additional financing for Phase 2 of the northeast plant will be needed in 2023 to 2024. Is the additional financing mentioned on Pages 121 and 123 of the AUIR for Phase 2 of the northeast plant?

And we had just a few other questions. What are the total estimated costs for all three phases of the new northeast utility facility, including the financing costs?

What are the costs -- No. 3 -- or No. 4, excuse me, what are the costs for each phase?

Number 5, is there a public web page for this information? We couldn't find one.

And Question No. 6, on Page 44 of the AUIR it references two documents that we've been unable to find. I'm sorry -- Page 44 and Page 63, and one is called AECOM's Draft Potable Water Master Plan dated July 2021, and the other is AECOM's Draft Wastewater Plan dated July 2021.

We'd like to obtain links to these documents, as we cannot find them on the county's website or the water district sewer website, and they're mentioned in the AUIR.

Since we just recently reviewed this AUIR this week, we did not have a chance to reach out to staff before today with our questions. If staff would like to meet with us, we're happy to do so. And I didn't even realize that Matt was now the utility director, so I'm happy to meet with you, Matt, if you'll meet with us.

We believe that all estimated costs of the northeast utility plant are important and should be made publicly available if it's not already. Thank you.

CHAIRMAN FRYER: Thank you.

I would like to cap onto that somewhat. From those of you who recall the discussions we had during the villages along Oil Well, I expressed great concern over the extent, if any, to which taxpayers at large were having to pony up for, for instance, the northeast facilities, because those are primarily going to be used by new developments, villages, and towns and the like. And when we talk about financing, what comes to mind

first, of course, is debt service. You borrow money, you pay interest, and who will be paying the interest on that financing? Presumably it's the taxpayer at large.

So I certainly invite staff and encourage staff and the Conservancy to meet together, but I want the Planning Commission to also know the process and the progress that's being made in answering that question of mine.

And, Mr. Bosi, did you --

MR. BOSI: I just want to provide clarification.

CHAIRMAN FRYER: Please.

MR. BOSI: Those are the users, not the -- not taxpayers, because it's an enterprise system. It's not all of the taxpayers. It's the individuals within the system.

CHAIRMAN FRYER: So it's going to be an MSTU?

MR. BOSI: No, it's the --

MS. CURRY: For the Water/Sewer District -- again, Amia Curry, Public Utilities.

The Water/Sewer District is not tax funded in any way. The user rates and the impact fee rates would cover our debt service. As appropriate, there are Florida Statutes that govern what we can and cannot charge to impact fees, and so whenever possible, whenever it's appropriate to do so, we do make sure that both what we build with it and any debt service and interest is charged back to the impact fees.

CHAIRMAN FRYER: Okay. So what you're saying, then, is that the -- when you get into the subsequent phases, after Phase 1, the taxpayer at large will not be having to shoulder any percentage or any portion of that additional cost; it's all going to be borne by the particular users in the northeast area?

MS. CURRY: You are correct, sir.

CHAIRMAN FRYER: Okay.

MR. McLEAN: Matt McLean, for the record.

Yeah, that's absolutely correct in that general taxes do not pay for anything relative to utilities. It is all user faced and impact fee based at the end of the day.

So as future growth and expansion projects continue, regardless of where they are within the Collier County water and service [sic] district area, the impact fees that are collected pay for those expansion projects. Even the users that are already within the system within Collier County Water and Sewer Districts area that are paying the user fees are not paying for that additional expansion capacity, because that's what the impact fees are paying for.

CHAIRMAN FRYER: Okay. So --

COMMISSIONER SHEA: Boy, it sure would be nice if you could simplify -- because we go through that every time in the financial neutrality, and it's -- for us it's very hard to understand -- what you just said, it would be nice to see how that works with the numbers, because what you said is a good answer, but we don't know how to get there ourselves with the --

MR. McLEAN: Understood. And we're happy to meet with April. I mean, we know they're colleagues of ours. We meet with them and go through things. So if they want to meet with us and talk through anything relative to any questions that they have with respect to the Water and Sewer District, we're happy to do so.

CHAIRMAN FRYER: Okay. Well, that's fine. So at the risk of redundancy, what you're saying is that impact fees and user fees, which are to be paid by the beneficiaries of this new infrastructure, will cover the full costs of the increments?

MR. McLEAN: That is correct.

CHAIRMAN FRYER: Okay. Thank you. That answers my question.

COMMISSIONER SHEA: (Inaudible.)

CHAIRMAN FRYER: Absolutely, yeah. Commissioner.

COMMISSIONER SHEA: Matt, when you meet with April, I would absolutely love to sit with you. I spent years in that world, and then I've spent a year and a half listening to April tell me that we're wrong, and I need to be able to draw some conclusions here.

MR. McLEAN: Well, we may not -- April and us may not agree. We may agree to disagree; however, we're more than happy to set time up with --

COMMISSIONER SHEA: Yeah. I just want to be in the middle and see --

MR. McLEAN: Yeah, more than happy to set that up, so not a problem.

COMMISSIONER SHEA: Thank you.

CHAIRMAN FRYER: I think that would be of great value to the Planning Commission. Obviously, more than one of us can't be there, but you already have your foot in the door skill-set-wise, and you're the right person to do that and then can report back to us in the framework of a public meeting. So that will be very useful. Thank you.

MR. McLEAN: No problem.

CHAIRMAN FRYER: All right. Ms. Olson, did you want to say anything more?

MR. McLEAN: Just one more quick thing.

CHAIRMAN FRYER: Well, you're adding value, so we want to get you back.

MS. OLSON: One quick thing to keep in mind is that most ratepayers are also taxpayers.

CHAIRMAN FRYER: Oh, I understand.

MS. OLSON: Yeah, thank you.

CHAIRMAN FRYER: Thank you.

MR. McLEAN: I would say all ratepayers are taxpayers.

COMMISSIONER SHEA: All ratepayers are taxpayers.

MS. OLSON: All ratepayers are taxpayers.

COMMISSIONER SHEA: Yeah. It's just the other way around it's not true.

MR. McLEAN: Yeah, exactly, that's correct.

MS. OLSON: Isn't that what I said?

CHAIRMAN FRYER: Okay. Well, we understand.

COMMISSIONER SHEA: It's close. We knew what you meant.

CHAIRMAN FRYER: We just want the benefits and the burdens to be aligned.

MR. McLEAN: Understood.

CHAIRMAN FRYER: Okay. What -- nothing further then on the subject -- oh, Commissioner Vernon.

COMMISSIONER VERNON: Yeah, just -- I guess I don't know much about water. I was just stunned when I saw that I'm using over 200 gallons of water a day. I mean, if I add up the potable water and the wastewater, that's over 200, right?

COMMISSIONER SHEA: You don't add them up.

MR. McLEAN: No, you're using --

COMMISSIONER SHEA: You don't add them up.

MR. McLEAN: Yeah, you don't add them up.

COMMISSIONER VERNON: I'm still stunned.

MR. McLEAN: The water that you used then get's flushed down the toilet or goes down your drains and --

COMMISSIONER VERNON: It's still over 100 gallons. That's a lot.

MR. McLEAN: Very possible. A lot of people utilize water for irrigation purposes, for watering their flowers, doing whatever, but, yes, it --

COMMISSIONER SHEA: But you're at 90 he's using. He's using 90, which is actually pretty low compared to some other communities. Some of them use, for water, use over 100 per capita.

COMMISSIONER SPARRAZZA: Per person.

COMMISSIONER SHEA: Per person, per capita.

MR. McLEAN: Water is over 100. Water is the 130, and wastewater is 90.

COMMISSIONER SHEA: Well, I thought -- oh, I had them backwards. You're right.

CHAIRMAN FRYER: Commissioner, for the most part, you're only borrowing that water.

COMMISSIONER VERNON: So I understand. Kind of. Yeah, kind of. But -- so with this section, are we going to -- I mean, I'm just trying to figure out how I'm trying to add value to listening and approving. Are we going to -- I guess maybe -- I guess my thought, king for a day, I'd say, well, what recommendations can we make to make this a better situation so we're not using so much water?

MR. McLEAN: I think a lot of things from a regulatory perspective have been helpful in the last several years, and some of the initiatives that I indicated in the beginning, I mean, some of the things that we're doing on expansion, expanding our irrigation quality services where, you know, your water comes in from the potable water side in our regional water distribution system. That water then goes to our county water reclamation facilities where we process it and turn it into IQ water and then put it back out and utilize it for land application. I mean, that full service of utilizing that water continues to reuse the resource in multiple different ways, and that is something that we have seen over time has allowed us to continue to have the conservative trend of looking at our levels of service appropriately.

The villages that April mentioned in our northeast area that we spoke about today, those villages that we're moving forward on, we're doing a developer's agreement with those folks to take irrigation quality water as opposed to allowing them to utilize different means and methods for irrigation-type purposes, which further allows our ability to be able to process and land apply what starts from our potable water system to our wastewater system to land application from irrigation. So it's a full-service capability that we look at.

The population growth for us is something we continue to monitor. Mike had some really good comments relative to that for us.

One of the things that's challenging in the Public Utilities realm is you can't build a plant after the plant's needed, so we really have to continue to look far out in the future, and we've been very successful at that, and obviously you've been seeing some of that with our northeast explanation facilities. We mentioned Golden Gate as well. We utilize our checkbook concurrency, which is also included in the AUIR, to continue to look at our future growth projections when these PUDs are coming to you guys and getting approved. We take those units. We put them in our checkbook, and we look at them, and we project out so we can continue to make sure we're staying out in front of the growth with our

long-range planning.

There will be a time in the future when we're going to have to look hard at the southeast section of our county as well, as we continue to see a lot of these farms ultimately get converted into other types of uses. There may be additional times in the future of that utility where we're going to be looking at additional plant areas out in the southeast as well like we're looking at the northeast. So it kind of gives you a general overview of how we continue to master plan and look at the future.

COMMISSIONER VERNON: Right. But the first half of your answer is great work that you guys are doing. Kudos. You guys do a great job. And the second half is great idea.

So my question, though, for somebody is we're supposed to sit here and look at this and maybe make some changes. How can we listen to your ideas, which you just threw out a number of good ideas, and vet them and see if we agree with you and, if so, maybe move the needle a little bit in the AUIR is my question. And I just -- I guess this is the first time I've been through this process or -- I don't remember going through it before. But, anyway, I just want to add value so I'm not just rubber stamping it. I think that was the whole point of the Chairman, let's take some time on this. So I don't know if the time is right this second or -- I don't know. I don't know. I just don't want to just sit here and listen and say we're going to do something, then we don't do it.

CHAIRMAN FRYER: Commissioner Sparrazza.

COMMISSIONER SPARRAZZA: I believe you've already answered this, but if we were to look at our crystal ball and you go back five to seven years, 2015, and you projected what you think you needed and what you think you need to have, have you been satisfied with how fast or slow the county has grown and what you've been able to do to stay ahead of it? Have your assumptions been fairly accurate?

MR. McLEAN: I would say overall, yes, our assumptions have been pretty accurate, particularly when you're looking at a five-year type of horizon. But we do look at this every year, and we do make adjustments every year to that program.

So there are certain capital improvement projects that we defer out or move up, depending on how we continue to see development trends, particularly what areas within the county we're seeing those trends in as well.

I mentioned our water system is a regional one, so that entire system is interconnected throughout the entire county. The wastewater system's a little bit different. Not everything is interconnected in the wastewater system, so it's even more important for us on wastewater side to continue to look at the trends on an annual basis as we continue to revisit and go back through our AUIR.

COMMISSIONER SPARRAZZA: To simplify that answer for myself, are you okay? Do you feel confident or are you struggling because you're behind the eight ball a little bit?

MR. McLEAN: We certainly are not behind the eight ball at all. We feel very confident in the direction we're going.

COMMISSIONER SPARRAZZA: That's the answer I was hoping to hear. Thank you for everything you and your team do.

CHAIRMAN FRYER: Thank you.

Ms. Olson, would you mind stepping back up for a moment. I want to --

MS. OLSON: Sure.

CHAIRMAN FRYER: -- make a request of the Conservancy. It may not be appropriate. You can always say no. You're not a government agency or a private organization.

MS. OLSON: Sure.

CHAIRMAN FRYER: But you've asked some good questions, and I continue to be concerned about fiscal neutrality. The answers I've heard today are good and -- but if we -- if we continue this after our discussion today, which is going to end in an hour and 10 minutes, then we're going to take it up again on the 17th of November. Would you and would your organization be in a position to meet with Mr. McLean and also our planning commissioner, Mr. Shea, where you could ask questions and you could hear the answers and he could hear the answers as well, and we could get a report back so that we might be able to reach some more intelligent recommendations?

MS. OLSON: Yes. And I might be out of town on the 17th, but I can -- you know, we can definitely meet before then, and -- I would like to if they're willing to.

CHAIRMAN FRYER: Mr. McLean, would you come up to the mic and tell me whether that works with your schedule.

MR. McLEAN: We have absolutely no problem meeting with April and members from her team and Commissioner Shea as well.

CHAIRMAN FRYER: Okay.

MR. McLEAN: We'll set that up.

CHAIRMAN FRYER: All right. Yeah. I just want to take advantage of the fact that the Conservancy's obviously spent a lot of time digging into this, more than we have, and she's going to help us satisfy our concerns by the questions she asks and the answers you supply and then what Commissioner Shea hears. I think we're just going to be really, as a Planning Commission, better served with that -- by that process.

MS. OLSON: I appreciate that. And I did copy -- I forgot to tell you, I have the copies of the questions, which I gave Matt one, and I can give all of you one if you'd like, of the questions.

CHAIRMAN FRYER: That's fine --

MS. OLSON: Okay.

CHAIRMAN FRYER: -- or you could have staff --

COMMISSIONER SHEA: Bring them to the meeting.

CHAIRMAN FRYER: -- have Mr. Bosi's staff email it to us.

MS. OLSON: Okay. That sounds good.

CHAIRMAN FRYER: That's good. Thank you.

MS. OLSON: Okay. Thank you.

CHAIRMAN FRYER: All right. Anything further for Mr. McLean and the subject?

(No response.)

CHAIRMAN FRYER: If not, many thanks, sir.

MR. McLEAN: Thank you.

CHAIRMAN FRYER: Thank you for your report.

Mr. Bosi.

MR. BOSI: Solid Waste, and then after Solid Waste, Trinity Scott is available. So Transportation can go after Solid Waste, if that's the pleasure of the CCPC.

CHAIRMAN FRYER: Okay. That's fine. One thing I just want to be sure of,

Chief Butcher has been here all day, and I want to be sure that we do hear from her and EMS. It doesn't have to be right now, but I don't want her to have to come back two weeks from now, since she has been patiently waiting. So I just -- if you would please, as the gatekeeper, just keep that in mind.

MR. BOSI: Sure.

CHAIRMAN FRYER: Thank you. Go ahead.

MS. HODGSON: Good afternoon, Commissioners. For the record, Kari Hodgson, your director for Solid Waste.

I'd like to thank you for this time this afternoon and also thank Mr. Bosi for the acknowledgment of our success. Even to his point, this year the county reached the state-mandated goal of 75 percent for recycling. So there's a lot taking place to preserve our landfill airspace. Thank you very much.

And in the essence of time, is there any questions that I can have or --

COMMISSIONER SHEA: Seventy-five percent at the curb or 75 percent at the end?

MS. HODGSON: At the end, the whole as a county. All the waste generated in Collier County, 75 percent was recycled.

CHAIRMAN FRYER: Do you -- do you -- are you completely cost recovered, then, with user fees?

MS. HODGSON: We, just like Water/Sewer District, are funded by enterprise funding. So the two sources of revenue are the tipping fees as well as the non-ad valorem assessment that is for the collections side of things, so -- and five of 67 counties reached that goal. It is a metric-based system developed by the State of Florida. And of those five counties, three have obtained credits for waste to energy. So we did that without a waste to energy.

COMMISSIONER SHEA: I'm not sure I understand. So I have two barrels. I have the recycle and the regular. Does that mean 75 percent of the total waste ends up in the recycle bin or ends up in the recycle center that you don't -- because a lot of people -- you get a lot of contamination. So I'm -- is that -- that's including the contamination on the recycle?

MS. HODGSON: Yes.

COMMISSIONER SHEA: Phenomenal.

MS. HODGSON: It factors everything in, because the end users have to report those numbers to the state. So we obtain those numbers, and they report what is contaminated, and they report what is actually recycled. So your can in particular, I'm not sure. We haven't audited it. But we can let you know.

COMMISSIONER SHEA: Well, that's very nice work. Thank you.

MS. HODGSON: Yes.

CHAIRMAN FRYER: Thank you.

COMMISSIONER VERNON: Please don't audit mine.

CHAIRMAN FRYER: Any more --

COMMISSIONER SHEA: There's a lot of bottles in yours.

CHAIRMAN FRYER: Any more questions on this subject?

COMMISSIONER VERNON: That's why I'm always so calm.

CHAIRMAN FRYER: Thank you, ma'am.

MS. HODGSON: Thank you.

MR. BOSI: And that would be Transportation, and Ms. Scott.

CHAIRMAN FRYER: Ms. Scott.

MS. SCOTT: Good afternoon, again. Trinity Scott, department head, Transportation Management Services.

I didn't have the pleasure of hearing everyone else's presentation, so hopefully they're similar but, if not, I did a little different -- oh, wait. We're having some technical difficulties.

COMMISSIONER VERNON: It's been out for a few minutes.

MS. SCOTT: Wait. IT star for the day. There you go.

So in prior years I have gone page by page through the AUIR. I took a little different approach this year. I talked -- I put together more of how we go about doing the AUIR, and then we can talk about specific projects if you'd like.

So why we do the AUIR is it's a planning tool for us for careful utilization of our limited resources, it is a snapshot in time so that we can monitor the levels of service for our key facilities, and it's a process that develops recommendations that go into our Capital Improvement Projects.

So with that, there are different roadway classifications that we talk about. We talk about arterial roads. Those are our major roadways that are designed to carry longer trips at higher rates of speed with minimal access points. And then you have a collector roadway, which are roadways that typically connect to arterial roadways, and they provide for that traffic circulation to your commercial, and they will have access points more frequently than you might see on an arterial roadway. And then you get to a local roadway. Raintree Lane that we were speaking of earlier, those are local roadways. Those are most residential streets, and they have more frequent access points.

So when we are talking about the AUIR with regard to transportation, we assess level of service on arterial and collector roadways. We do not do it on a local roadway. So when you're seeing your TIS that comes before you -- I'm trying to tie this back in to what you all see every two weeks. When you see the TIS, the TIS did not show you a level of service -- I'm going to go back to Maple rezone. It doesn't show you a level of service for Maple Lane, because we don't assess the level of service on Maple Lane. It started with the U.S. 41 link. So you -- it's that connection to the major roadway.

So we don't do level of service on a local roadway. We look at it during our review. Certainly, if you're going to put 10,000 units with one access point, we're going to talk to them about what they need but, from an overall level-of-service standpoint, we do not do it on a local roadway.

COMMISSIONER SHEA: So arterial, would that be 75, or would that be Immokalee Road?

MS. SCOTT: Immokalee Road. So there's actually a higher classification above this which is interstate or freeway. But since -- we don't assess the level of service on that; that is completed by the Florida Department of Transportation. So these are the three types of roadways that Collier County deals with.

COMMISSIONER SHEA: We don't do much on -- I mean, the arterial would be Pine Ridge, Livingston, Airport, the main --

MS. SCOTT: Absolutely.

COMMISSIONER SHEA: Okay.

MS. SCOTT: The ones that are within your segments in Attachment F in the

AUIR.

And we assess a level of service, and everyone asks, well, what does Level of Service A mean or what does Level of Service F mean? And so I use an exhibit here that kind of shows different amounts of traffic. A Level of Service F means there's a lot of congestion, and you're really not moving. Level of Service E is you're using just the right amount of capacity. You know, you have six lanes of traffic or four lanes of traffic. It's moving. A Level of Service A is I could lay in the middle of the road for most of the day.

So we look at the volumes of traffic, and we assess a letter grade to each of those, and that's what's included in your Attachment F.

So what does all of this mean? I want to say --

CHAIRMAN FRYER: Ms. Scott, does E mean traveling at the speed limit?

MS. SCOTT: Not necessarily. What it means, though, is that you're still progressing and that your volume-to-capacity ratio is not at one over one, which is you're over capacity; that you're at about 90 percent of your capacity or up to 100 percent.

CHAIRMAN FRYER: Okay. Is there -- is there a level-of-service letter of the alphabet that represents traveling at the speed limit?

MS. SCOTT: Not necessarily, because you could be traveling at the speed limit at a Level of Service A, and you could be traveling at the speed limit during certain times of the day depending on when you're looking at the level of service, and we're going to talk about that, during a peak time.

CHAIRMAN FRYER: Okay. All right.

MS. SCOTT: So one of the common miscommunications about transportation is is that we plan to build our roadways for the peak of the peak season which, historically, has been the second or third week of February. We don't do that. I'm going to quote my predecessor, Norman Feder: We do not build our roads for Easter Sunday. So you don't build a church to accommodate Easter Sunday; you have multiple services.

And so the Board has adopted a level of service that says, listen, we're not going to factor in the peak of the peak season, because we would have roads sitting out there with no traffic on it for a majority of the year, which means we still have to maintain them. So we've adopted a level of service -- or we've adopted standards that factor out those higher months.

We also assess level of service based on the p.m. peak hour/peak direction. So that's roughly from 4:30 to 6:15, and the peak direction generally around the county is eastward or northward, because we have such an influx of people who live out east who come to the west for work, activities, and they go back, or you hear Mr. Bosi talk about our commuting patterns to the north with Lee County. Some of the roadways do shift where it's south going to Marco Island, et cetera. But, generally speaking, it's eastward and northward in the evenings.

So how we do it is there are level-of-service threshold volumes that are determined utilizing industry-standard software. So that's our capacity. It's a six-lane roadway with signals roughly every so often. We put that into some industry-standard software, and it comes out with, this is the capacity of the roadway. This is how many vehicles per hour that this segment of roadway should be able to handle.

We determine the existing directional volume. We do that by actually collecting traffic counts on the roadway annually, seasonally, quarterly. We actually have some continuous-count stations. They are factored to determine the peak hour/peak direction

volume, and we factor out those very high months out of the year.

CHAIRMAN FRYER: Ms. Scott, you say 4:00 to 6:00, yet peak hour is 60-minute period. Is it the busiest 60 minutes within that 60-minute period?

MS. SCOTT: Yes, yes.

CHAIRMAN FRYER: Okay. Thank you.

MS. SCOTT: I should also note about our traffic counts. We look at our traffic counts on a monthly basis. We log them in quarterly for the AUIR, but we collect them, and we do a QAQC on them, so that way if we see that something is off -- sometimes if we do a tube count, the tube has come up, and we'll see that those counts are way off, say, the prior year in the same quarter, we'll go out and retake those so that we have cleaner data that's coming in, too, as well. So that's something -- kind of an improvement that we've done over the past few years that have allowed us to get better data.

So on your Attachment F, usually there's a -- well, there is a column on there that says the remaining capacity for the roadway. So how we come up with that number is we take the volume that comes out of the capacity manual, which is how much capacity the roadway has, we subtract out those traffic counts, the traffic that's actually on the road, and then we subtract out the trip bank. The trip bank are projects that have been completed through a -- they're not fully constructed, but they have received approval through a Site Development Plan or plat and plan, or we have a few other little nuances where they may have a developer agreement that's vested them, or they may have long-standing vested rights. Those are accounted for in the system. So that comes down to how much capacity do we have left on the road?

We take our traffic counts, and then we apply a growth factor. It's a minimum of 2 percent or the historic growth factor -- we keep our growth factors, how our traffic counts grows year over year, and we have a database that shows that. So we take the historical average, or 2 percent, whichever is greater, and we apply that year over year, and that allows us to give you those years of projection of when a roadway may become deficient.

So this is a planning tool for us, because it takes a long time for us to get a road on the ground from planning, through design and permitting, right-of-way acquisition, and construction. So we're using that information to be able to project out when we may need to have that road on the ground.

CHAIRMAN FRYER: For example, what is the -- what is the time frame on the Vanderbilt extension from when it was first approved to when cars are going to be on it?

MS. SCOTT: So that project originally started discussions back in 2005. It was put on hold for many, many, many years by the Board because of the economic downturn; however, once the Board awarded the construction contract, it is -- for that particular project, that's the largest project we have done in the county; it is a three-year construction project.

CHAIRMAN FRYER: Okay. Thank you.

COMMISSIONER SHEA: Another quick question. So I'm looking at, like, all those RLSA projects that we've approved. It sounds like if none of them have yet gone to the daily drawing submission phase, they wouldn't be in your analysis yet.

MS. SCOTT: You're correct, they would not be; however, at the last Planning Commission, I talked about the metropolitan planning process and the Long-Range Transportation Plan, which currently looks out through 2045. And so we load -- we have a separate process that's looking much further out. The AUIR is the next five to 10 years.

This process feeds into the Long-Range Transportation Plan on their first five years of what we're seeing on the ground today, but we're also looking at what we anticipate from population growth, where we anticipate new growth to be that allows us, then, to program out those projects in the Long-Range Transportation Plan.

So I could tell you for the next 20 years what we think we will do, but we update that plan every five years, and sometimes those projects will change as well.

So you're right, the RLSA, but also the RLSA isn't going to pop out of the ground and be fully built in the next five years. In fact, it's probably not going to be built through our long range -- our current Long-Range Transportation Plan. So it allows us to kind of absorb those over the years. So we have a process that looks long-term. This is just your short-term look.

CHAIRMAN FRYER: Mr. Troy Miller, would you please bring me the charging cable for the deliberator.

MS. SCOTT: So our overall process is we assess the network, we project our future needs, we identify those deficiencies, and we develop recommendations.

And I just -- I've hit on a few projects, because we've really talked a lot about Immokalee Road over the last -- yeah, last couple years, actually, I guess.

COMMISSIONER SHEA: Every time we see you.

MS. SCOTT: Yes. So I just -- I pulled three projects out of our current Capital Improvement Plan that will address Immokalee Road. So not only do I have the Vanderbilt Beach Road extension that's currently underway that's going to go from Collier Boulevard to 16th Street, seven miles, new roadway, we have a plan to extend that even further into -- to Everglades Boulevard, so taking it from 16th Street to Everglades Boulevard; construction commencing within the next five years.

We anticipate being able to have this design and permitted, completed, so prior to the end of the existing extension project, that we can just continue it forward.

We also, within the five-year planning period, also have Everglades Boulevard. So I just said we're going to extend Vanderbilt Beach Road out to Everglades. Now this is taking Everglades Boulevard from Vanderbilt Beach Road extension north to Oil Well Road.

So if you can vision this -- envision this, we're trying to funnel people down to Vanderbilt Beach Road extension in the Estates. That will give people the opportunity to get off of Immokalee Road and funnel them down to that other roadway.

Another opportunity to get off of Immokalee roadway for folks who are in that northern section is we also have Wilson Boulevard within the four-year -- within the five-year time frame as well to widen Wilson Boulevard between Golden Gate Boulevard and Immokalee Road. So, once again, funneling that traffic down to Vanderbilt Beach Road extension.

And I should mention, Vanderbilt Beach Road extension, the seven miles that we are building now, three traffic signals: Wilson Boulevard, 8th, 16th. That's it. Very different than Immokalee Road.

COMMISSIONER SHEA: What's the plan for the Immokalee Road stuff? Is that in the -- is that only maybe design portions of it in the next five years?

MS. SCOTT: Yes. So what we have planned in the next five years -- my first rip of the Band-Aid is we have plans for Pine Ridge Road. And you'll say to me, why are you talking about Pine Ridge Road when you're talking about Immokalee Road? Well, I need

Pine Ridge Road to work as efficiently as possible at that interchange if I'm going to go do anything with the interchange at Immokalee Road, because I need another place for that traffic to divert to.

So we have partnered with the State of Florida to do a diverging diamond at the Pine Ridge Road interchange as well as a -- sorry -- a continuous flow intersection. We're actually doing -- it's a sales-tax-funded project at Livingston and Pine Ridge Road. And if you're interested in that, I can send you some videos that are really nice animations about how those projects work. That allows us to get Pine Ridge Road working very efficiently in that interchange area.

We have completed a planning study for Immokalee Road, which includes an overpass at Livingston as well as a diverging diamond at the interstate. So we're working with the Florida Department of Transportation. They're also completing a parallel study of the mainline interstate right now.

And I have to digress a little bit. When I started in Transportation Planning with the county in 2015, I started hitting FDOT saying, you need to look at Immokalee Road interchange. They finally did. They finally told me this year, seven years later, you're right, Trinity, that's a really bad interchange. So they are -- they've recognized it now. They are coming to the table. They're working with us to try to develop a plan to be able to get that into their five-year work program.

COMMISSIONER SHEA: So if you do a diverging diamond at 75 and Immokalee, Immokalee is our responsibility, right? Because that's where most of the work is, not on 75.

MS. SCOTT: So underneath the interstate, that is actually limited access right-of-way, and so that section of Immokalee Road, roughly between the Strand and whatever that -- Tarpon Bay or -- Tarpon Bay, I think, is the next intersection, roughly within that area. That's actually called limited access right-of-way, and FDOT actually does that.

COMMISSIONER SHEA: Okay. So that intersection is totally dependent on when we can rattle the cage enough to get their attention?

MS. SCOTT: Yes, but we have a great group on our Metropolitan Planning Organization, which includes our five County Commissioners who do a great job of rattling their cage.

So we were actually able to get them to advance I-75 at Collier Boulevard. They're starting that \$100 million project. Construction should actually start in the fall. We got them to partner on the Pine Ridge Road.

What we found with the Pine Ridge Road study was that if we went out and did the data and analysis and went and kind of wrapped it up in a nice bow and presented it to them, it got them on board a lot quicker. But what really got them on board was when we put it as a sales-tax-funded project. So we came to the table with some money as well. So we're continuing to strategize with them with regard to the remainder.

And that concludes my presentation. I'm sure you're going to have some questions about specifics, but...

CHAIRMAN FRYER: Thank you very much.

Anyone have questions or comments?

(No response.)

CHAIRMAN FRYER: No one is signaling at this point, Ms. Scott. So I think

you must have done an outstanding job.

MS. SCOTT: Did you think otherwise?

CHAIRMAN FRYER: No, not for a moment.

MS. SCOTT: Thank you.

CHAIRMAN FRYER: Thank you very much.

Mr. Bosi.

COMMISSIONER SHEA: Can we ask -- can I ask a question? I ask you this every year. But this unfunded needs, so you're looking at 538 million in revenue that you need, but 205- is unfunded. So that means if we don't find funding for it, that a lot of the projects that you've listed won't get done in the next five years. Am I reading the data right?

MS. SCOTT: You are absolutely reading the data correctly, and we are currently working with our financial team. We have some long-standing gas tax bonds that will be paid off in the short-term, next couple years. So we -- similar to an exercise that we did back in the early 2000s, we bonded our gas tax which gave us an influx of dollars to be able to -- to be able to do several projects.

COMMISSIONER SHEA: That's a good idea. I didn't know you could do that, but I guess you could. Makes sense.

MS. SCOTT: So we're working very closely with our finance team on that. We report this to them. They're very well aware of it, and they're working with us.

COMMISSIONER SHEA: But what do the commissioners do? Now you're looking at an AUIR that's -- can they approve 538 million for your five-year plan? I know it doesn't really matter that much because it's only a plan, and until you get into the individual projects each year, that's where the funding has to be in place.

MS. SCOTT: So this is, exactly, a planning document. It allows us to be able to tell them, this is what we believe that we're going to need, and we update it on an annual basis. And as I said, we're coordinating very closely with our finance team so that they can develop those strategies. But absolutely, these are conversations that we've had with our board members over the last few years. We've carried that unfunded need for several years.

And for -- I'm going to give an example. For Vanderbilt Beach Road extension, which came in about 20 percent over budget, I believe -- the number escapes me right now -- but we were able to work with them on a strategy for some short-term commercial paper to cover us until we were able to get into, you know, collecting more fees and et cetera. So they are -- the second floor here we have -- they're financial geniuses, so...

COMMISSIONER SHEA: Thank you.

CHAIRMAN FRYER: Thank you, Ms. Scott.

MS. SCOTT: Thank you.

CHAIRMAN FRYER: Mr. Bosi.

MR. BOSI: And Stormwater is next. They normally have a lot of tie-in to our transportation projects as well. But just to let you know, there's no longer a requirement for fiscal -- financial feasibility. From the statute, the Board still does require in that first year we have the budget. And the AUIR is presented to the Board of County Commissioners in December, and it kicks off their budgetary process, which starts in February, and they'll have a preliminary hearing within June and, then, ultimately make their budgetary decisions and finalize their budget in September, which starts the next

year's AUIR, and the cycle continues.

CHAIRMAN FRYER: Thank you.

MR. ROMAN: Good afternoon. Dan Roman, Stormwater Management.

We're going to be talking about the stormwater infrastructure. Just to give you some understanding of what we manage, we have -- Collier County has about 400 miles of major canals, which about 150 miles are maintained by the county. We also have six stormwater pump stations and over 81 major water control structures. The system also have about 370 miles of stormwater pipes and 687 miles of roadside swales.

The level of service for stormwater, it's basically based on basins. We don't have a countywide level of service, and it's based also on the maximum level of discharge that each basin have. And this was prepared a few years back in conjunction with the South Florida Water Management District.

We created our AUIR, the priority for the projects, based on what needs to be rehabilitated and restored. We also have partnership projects which we go in conjunction with other utility like -- and the city. So Palm River project that Matt talked about, and we just partnered with, and we go in at the same time.

We have a comprehensive, also, stormwater maintenance program, which is in conjunction with road maintenance, and that's basically how we based our priorities for the five years.

Projects, like I mentioned, include Palm River, Naples Park, includes upper Gordon River, which will be part of, like, a basin studies as well, and that's basically how we prepare our AUIR.

CHAIRMAN FRYER: Commissioner Shea.

COMMISSIONER SHEA: So for level of service, you must have some guidelines, like the canals don't overflow the banks or the storm inlets don't back -- you must have something that relates to level of service, right?

MR. ROMAN: Basically it's a maximum of discharge for each basin, as shown in here.

COMMISSIONER SHEA: So somebody's defined the discharge rates as being, if we can maintain those or lower, we'll have an acceptable --

MR. ROMAN: Correct.

COMMISSIONER SHEA: So you have a level of service that's been established, which is the individual gate situations?

MR. ROMAN: Yeah, correct.

COMMISSIONER SHEA: Okay.

MR. ROMAN: But it's not like Public Utilities have for water; it's an -- overall applies or for wastewater. For stormwater it varies by each basin.

COMMISSIONER SHEA: Okay. But you do have a level of service that you're working towards?

MR. ROMAN: Correct.

CHAIRMAN FRYER: Anything further, sir?

MR. ROMAN: No, that's all I have.

CHAIRMAN FRYER: Thank you very much.

MR. ROMAN: Thank you.

COMMISSIONER SHEA: I have another question, though.

MR. ROMAN: Sure.

COMMISSIONER SHEA: You have the same situation as Transportation, 60 percent of your budget is unfunded needs. What are the odds you're going to -- ah, Trinity's coming back. Are you in her group?

MR. ROMAN: She is my boss.

COMMISSIONER SHEA: Ah. So that just seems like a big percentage, and it's big every year. It's almost like -- well, I guess you're right. I know where you're going to go with this, that it's going to get back to the individual annual budgets. But it just seems like a big number to be looking for.

MS. SCOTT: Absolutely. We, a few years back -- once again, sorry, for the record, Trinity Scott, Transportation Management Services department head.

And, yes, I have Stormwater. I also have Coastal Zone, too, so you'll probably see me again here in a little bit.

But, yes, a few years back we went through the process of trying to establish a stormwater utility fee, which was not approved, which would have given a dedicated funding source to Stormwater. However, at that time the Board did indicate that, you know, they'd like to see us pump up those rehabilitation projects and our maintenance efforts. And so we've been doing that.

And, yes, we are carrying an unfunded need here but, yes, also having that conversation with the Board of County Commissioners as well as our fiscal team, to assist us. And, in fact, I think it's probably been about two years ago, maybe three, maybe two, they did go out and do a bond for some of our major projects of \$60 million, which we hope to fully expend all of that later this year.

COMMISSIONER SHEA: Thank you.

MS. SCOTT: Thank you.

CHAIRMAN FRYER: Thank you.

MR. ROMAN: Thank you.

CHAIRMAN FRYER: Mr. Bosi.

MR. BOSI: Chair, that would bring us next to our final of the county controlled Category A facilities, which would be Parks and Recreation.

CHAIRMAN FRYER: Thank you.

MR. BOSI: And then after that we'll bring Chief Butcher up here.

CHAIRMAN FRYER: Okay.

COMMISSIONER SHEA: We're really going to make her wait.

MR. BOSI: Yeah. It's going to be wonderful.

CHIEF BUTCHER: That means they don't have that many questions.

MS. WILLIAMS: Good afternoon. For the record, Tanya Williams, Public Services department head.

This is Olema's first foray into the AUIR process, so she's still learning the ropes. She is your interim parks director. So I'll let her get us started. She doesn't have to come to the mic. I'll walk them through it.

Your AUIR for Parks and Recreation has two service levels. It is separated out between your regional parks and your community parks. Can we get that up on the screen?

COMMISSIONER SPARRAZZA: Mike, we have nothing up.

MS. WILLIAMS: We didn't even turn it on. That's it. The visualizer has had a day. It's done. It doesn't want to do anything else.

There we go. It just needed -- it was just a little nap. There we go.

MR. YOUNGBLOOD: I get up, and it just works.

CHAIRMAN FRYER: Heel.

MS. WILLIAMS: So the level-of-service standard for your regional parks is 2.7 acres per 1,000 population. As you will note by the graph, we are in excess of what is required by the AUIR, so we have a very good buffer.

As we continue to bring on Big Corkscrew Island Regional Park, we have completed Phase 1 of that project. Obviously, it was originally slated for four phases, so we still have a ways to go with your Big Corkscrew Island Regional Park.

Obviously, you've got North Collier Regional Park that's included in this, Sugden Regional Park, and Paradise Coast Sports Park.

CHAIRMAN FRYER: Ms. Williams?

MS. WILLIAMS: Yes, sir.

CHAIRMAN FRYER: On Page 965 of our agenda packet, it's actually -- in the staff report it says, objective, and then at a glance, and there's some bullet points.

MS. WILLIAMS: Okay.

CHAIRMAN FRYER: In the first bullet point -- and I'll read it to you, and you can tell me what it means, because I don't understand it. It says, quote, 1.75 additional regional park acreage from Paradise Coast Park. Am I the only one who doesn't understand that?

COMMISSIONER SHEA: No, I didn't either.

MS. WILLIAMS: Hold on one second. I know there was some adjustments that were made.

CHAIRMAN FRYER: I just don't understand the syntax or the grammar or the meaning. We think it may be a typo.

MS. WILLIAMS: Can you find it?

MR. BOSI: Chair, can you repeat the --

MS. WILLIAMS: The location of it, please.

CHAIRMAN FRYER: It's on Page 965 of 763 [sic] of our full agenda packet, and it is in the document called "Staff Report." It's on Page 1, I guess, of the staff report, yeah, Page 1, and they're bullet points under the "at a glance," and it's the first bullet point, and starts with 1.75.

MS. WILLIAMS: Mike, is that part of supplemental information that's provided?

MR. BOSI: No, that's from the staff report.

MS. WILLIAMS: Oh, okay.

CHAIRMAN FRYER: Well, maybe we can come back to that, in the interest of time.

MS. WILLIAMS: We'll pinpoint it and take a look at it. More than likely it is a typo, and we'll get that corrected before it goes to the Board of County Commissioners, so we appreciate that.

CHAIRMAN FRYER: Okay. Thank you.

MS. WILLIAMS: Any other questions before I proceed with what we have to present?

CHAIRMAN FRYER: It appears not. Go ahead.

MS. WILLIAMS: All right. We'll move forward then.

So in regards to your community parks, that level-of-service standard is set at

1.2 acres per 1,000. As you will also see, we are still in excess of what is required at the five-year mark. We do have a surplus of 46.18 acres of parks land. Within a 10-year period, we are still within our ranges of meeting the needs of the community based on that level-of-service standard.

What's also listed here for you are your community parks that are part of this, and that includes all areas of the county from Immokalee to the northern part at Veterans.

COMMISSIONER SHEA: So are those levels of service you just mentioned something that is in a textbook, or is it something that we see here, we experience that at that level everything seems to be working well?

MR. BOSI: Those are the adopted levels of service that are contained within our Capital Improvement Element of our Growth Management Plan. Those are what the Board has adopted as the acceptable levels of service of both community parks and regional parks.

COMMISSIONER SHEA: But is that something the Board adopted from a textbook or from our experience?

MR. BOSI: They -- it was developed from the amount of parkland they had when they developed their -- and it's in coordination with impact fees to help determine how much of the inventory that we have that helped establish the levels of service, and that's been carried forward. There's been some adjustments over the past 20 years as to what that levels of service is. But it starts with what we've had in our inventory and then what we've had moving forward based upon some of those adjustments.

COMMISSIONER SHEA: But it's based on our own experience primarily --

MR. BOSI: Yes.

COMMISSIONER SHEA: -- not a textbook number that --

MR. BOSI: Correct, yes.

MS. WILLIAMS: Much like the libraries, you're not looking at a hard, firm standard so, obviously, this could be an area for discussion if you so chose moving forward.

COMMISSIONER SHEA: Good point.

MS. WILLIAMS: Also, we take a look at our Conservation Collier preserve land. Preserve lands, as we acquire them through the Conservation Collier Program, lands that can be developed for walking trails, passive recreation, and other aspects are also incorporated into the AUIR. Currently, our preserve acreage includes a little over 4,346 acres. You've got 37.65 miles of trails contained within those preserve areas. I won't go through the list, but they are scattered, again, throughout all of Collier County.

And Conservation Collier is an active acquisition, so that is a recurring process. So, in fact, we do have Cycle 11 land going before the Board of County Commissioners on Tuesday.

As I stated, we only look at our regional and community parks. We still have planned infrastructure improvements. Your Paradise Coast Sports park, we're still working in Phase 2, which would include four sports fields, roadways, and additional parking. There's a Phase 3 and a Phase 4 in that. And as I stated earlier, Big Corkscrew Island Regional Park, Phase 3 -- Phase 1 is complete, but we still have three more phases to go in that program as well.

Other improvements: We just concluded construction of a 7,000-square-foot welcome center. That's part of the pickleball court design at East Naples Community

Park.

Caxambas Park and Marina, we were -- we were working on the conclusion of some redesign and construction of a community center that's also used by the Coast Guard auxiliary. Unfortunately, Caxambas has sustained substantial damage during Hurricane Ian, so that has set us back in that process. The seawall will have to be completely restored as well as the stationary dock. Obviously, the floating docks did what they were supposed to do during the hurricane.

COMMISSIONER SHEA: Floated away?

MR. WILLIAMS: They didn't float away, but they floated. They rose and fell with the storm surge, but we did lose our stationary dock and, obviously, the seawall sustained extensive damage.

All of the electrical systems across our marina launch access points have to be completely redone. So Hurricane Ian kind of stalled us on that one.

And then your Golden Gate activity pool, we are concluding that refurbishment of that facility as well.

Golden Gate Aquatics Phase 2, that's currently in process. The Immokalee Aquatics Center, that has run into some -- problems aren't the right word, but stormwater is something that has to be mitigated in the Immokalee area. Anybody that is from the Immokalee area is aware of that. So we've got other areas that we have to attend to before we complete the Immokalee Aquatics Center refurbishment. And then renovation of Sun-N-Fun. Those improvements have also been made.

Yep, and then the last slide is just some general usage statistics where you can see some up and down. Beach parking permits, those are up. Obviously, our beach users are up. And various other statistics. Facility rentals are up, field usage hours, membership. Parks visitors was up 22 percent over the prior reporting year.

So with that, I am open as well as your interim director is open for any questions.

CHAIRMAN FRYER: Thank you.

Planning Commission?

COMMISSIONER SHEA: How do you count beach users? How do you get that data? How does that number get calculated?

MS. WILLIAMS: How do you count beach users?

MS. EDWARDS: Good afternoon. Olema Edwards, the interim Parks and Recreation director.

We usually get our beach sticker numbers from the number of beach stickers we give out. We do track our number of usage by ZIP code, and that was something new that was requested so we could show the number of people that are living in Collier County or versus the City of Naples. So we track that number by the actual number of beach stickers that we issue out.

COMMISSIONER SHEA: So it's based on how many people could go to the beach, not how much are going to the beach?

MS. EDWARDS: Correct.

COMMISSIONER SHEA: Okay. That's not a criticism. It's just information.

MS. EDWARDS: Yes, sir.

CHAIRMAN FRYER: You also use parking lot receipts?

MS. EDWARDS: Yes, sir, we can also do that as well, and we're actually -- once we get through Hurricane Ian, Vanderbilt Beach garage is now actually going to have a

parking counter so we can track how many people are coming into that garage. That's going to be our tester, and hopefully we can put it at other beach locations going forward.

CHAIRMAN FRYER: Thank you.

Commissioner Vernon.

COMMISSIONER VERNON: Yeah. I just noticed on that last slide, I saw boat launch users down 17 percent.

MS. EDWARDS: That's because we had to reduce the number of permits -- well, I don't want to say permits, but the number of launch permits that we could issue, and that was a Board directive. I think we could only issue out 221 versus --

COMMISSIONER VERNON: So not necessarily lack of demand?

MS. EDWARDS: Right, correct. Yes, sir.

COMMISSIONER SHEA: Now there are less boats.

MS. WILLIAMS: The other thing that has to be considered with your boat launch permits is the direction that came from the Board, we were looking at commercial use of our boat launches. So by limiting the number of commercial boat launch permits to 200, that has limited additional commercial use that may have been occurring over the prior years.

CHAIRMAN FRYER: Thank you.

Any further questions or comments from the Planning Commission?

(No response.)

CHAIRMAN FRYER: Thank you very much.

MS. EDWARDS: Thank you.

CHAIRMAN FRYER: Mr. Bosi.

MR. BOSI: That would lead us to EMS.

COMMISSIONER SHEA: Are you sure there's not somebody we can put ahead of them?

CHIEF BUTCHER: I can come back. It's not a big deal.

CHAIRMAN FRYER: Chief Butcher.

CHIEF BUTCHER: All right. Okay. For the record, Chief Butcher, chief of Collier County EMS.

I have a few slides that I want to go through with you. Some of it is just to give you a basic overview of EMS for some of you that do not know what we do, and then also to talk about what we do have proposed within the AUIR, and then happy to answer any questions after that.

So who are we? Collier County EMS, we were actually established in 1981. We provide ALS, which is advanced life support transport throughout all of Collier County. We do cover over 2,000 square miles, and we are a nationally accredited agency with our ground and our air service.

So our AUIR adopted level of service approved by the Board is we do add one unit for approximately six -- or, excuse me -- approximately 16,400 increase in population, but EMS is a little bit unique, because we also do need to monitor our response times. So our adopted level of service for response times here in Collier County is eight minutes or less 90 percent of the time arriving in the urban area, and the urban area is anything that is west of Collier Boulevard. We have a 12 minute or less 90 percent of the time in the rural area, which would be anything that's east of that Collier Boulevard border.

So in year 2021, we responded to over 46,000 calls for services. That was actually

a 10.13 percent increase over the previous year of 2020. Of those 46,000 calls we ran, we actually transported nearly 29,000 of those patients to the hospital, which was also an increase over 2020 of about 8.6 percent.

We do take care of all of those responses with 26 ambulances that are located throughout the county; two helicopters for our trauma transport. Typically in December through April, because we do have an influx of seasonal population, we add two to three ambulance 12 hours a day to try to help with some of that peak call volume.

CHAIRMAN FRYER: Chief, with respect to the eight- and 12-minute response time --

CHIEF BUTCHER: Yes.

CHAIRMAN FRYER: -- am I correct that we're talking about when an ALS unit, whatever kind, whether it be suppression or EMS, makes patient contact?

CHIEF BUTCHER: That's correct. So from the time that they are dispatched until they arrive at the scene.

CHAIRMAN FRYER: Okay. So people need to keep in mind that in addition to the 26 ambulances, we've got at least two fire districts -- well, three, I guess, and the City of Naples, that have ALS suppression units, fire trucks, and they are able to start advanced life support before the ambulance get there.

CHIEF BUTCHER: Yeah. And the important factor on that, too, is the basic life support. So they can get there before us, and definitely that is a big factor in saving someone's life, so it's important to have that.

In our rural area, we do also have one quick response paramedic, and that's a paramedic that is in an SUV type vehicle that does not transport. So when the units out in the eastern portion of the county leave that area to transport, that paramedic is still out there to be able to get to those scenes quickly.

And then we do have one advanced life support engine that we partner with Greater Naples Fire that's located out at the 63 mile marker of I-75.

CHAIRMAN FRYER: How is the funding on 63?

CHIEF BUTCHER: So far it's good. We were able to work that out, so we're getting the funding that we need.

CHAIRMAN FRYER: Okay. And that's from the state?

CHIEF BUTCHER: That is correct, yep.

So our future growth in our AUIR, as you saw in your packet, we do have four planned units in the first five years from -- starting here in 2022, and then we do have two planned stations in the second five years. These stations that are planned for this first five years are DeSoto Boulevard and Golden Gate Boulevard. This station has already been designed, the construction has already been put out to bid, so we're just working on awarding that contract at this time so we can break ground.

This station is very vital for us because we do have a couple of ambulances in the Golden Gate Estates area, but due to their location, when we receive calls that are in that southeastern portion of the Estates, the units that are located out there, they're already not going to meet that 12-minute response time just simply because of the distance that they have to travel.

CHAIRMAN FRYER: Is DeSoto going to be owned or leased?

CHIEF BUTCHER: It's going to be an owned station, yes.

Old 41 is our station right after that, and that one we have already started the design

on that, and that will be located at Old 41 and Performance Way. So when -- as the growth goes up there, that will definitely be an important factor. That North Naples area is our second busiest area in the county, so this station will definitely help with the call volume that we have up in that end.

The station after that is at Immokalee and Collier directly next to the new government facility that is there which will also help with all of the eastern growth that is going on in that Immokalee corridor.

And then Fiddler's Creek is our final one in this next five years, and that would be off the Fiddler's Creek entrance out off of East Tamiami Trail. And as I'm sure you're aware, there's a lot of growth going on out there as well.

The stations for the next five years, we don't have those locations, but as we get closer to that, we'll start determining where our need is and seek property in those areas.

This map's a little difficult to see, but it was in your AUIR packet. This is just a map showing where our locations are, both leased and owned as well as where the stations I just mentioned will be located in the future.

So with that, I'll be happy to answer any questions that you have.

CHAIRMAN FRYER: I noticed from the materials that you submitted in support of the AUIR -- and you and I talked about this informally, but I want the other Planning Commissioners to hear this. It struck me as a bit of an anomaly, because usually EMS runs at a loss and has to have the makeup from General Funds because the user fees/impact fees don't cover everything. But you had some largesse, perhaps unforeseen grants and the like, so that you actually finished the year in the black.

CHIEF BUTCHER: Yeah, for the first time since I can remember. So it's definitely a good-news item. We did actually get funds from the American Rescue Plan, which is a federally -- federal grant. So we received 1.7 million from them, and that is going to assist us in buying the vehicles that we need for this expansion. And then we were able to secure some more funds from the surtax funding to build the stations. So that's where that increase over the previous years came from.

CHAIRMAN FRYER: Are any of those likely to recur, or just one-off?

CHIEF BUTCHER: Which? The American Rescue Plan?

CHAIRMAN FRYER: Yeah.

CHIEF BUTCHER: As far as I know, that's a one time, but I'm not 100 percent on that. The surtax, there could be some possibilities in the future to do another ask for funds from them.

CHAIRMAN FRYER: Okay. Thank you.

Any other members of the Planning Commission have questions or comments for the Chief?

COMMISSIONER VERNON: Keep up the good work.

CHIEF BUTCHER: All right. Thank you, guys.

COMMISSIONER VERNON: Appreciate all you do.

CHAIRMAN FRYER: Indeed, we do.

Mr. Bosi.

COMMISSIONER SHEA: Thank you for being patient also.

CHAIRMAN FRYER: Yes, indeed.

CHIEF BUTCHER: I think everyone was, so thank you.

MR. BOSI: I think from the folks that we have left in the room, I know we have

libraries as well as coastal zone, and is there any other sections that we have?

(No response.)

MR. BOSI: So libraries would be logical.

CHAIRMAN FRYER: Yeah. As -- is it Ms. Williams again?

MR. BOSI: Yep.

CHAIRMAN FRYER: Good. We need to be thinking about whether we want to complete our work this afternoon or come back and dig deeper into this, and it's entirely up to the Planning Commission. I think -- I think after this year, we're going to want to spend perhaps more than one day, but this year it's more or less --

COMMISSIONER SHEA: I think we should complete our work, if we can, today.

CHAIRMAN FRYER: All right. Is that the consensus of the Planning Commission?

COMMISSIONER SHEA: I think we need to move it on, yeah.

COMMISSIONER VERNON: I guess I have mixed feelings about it. If we're going to knock off at 4:30, then we're going to just say move forward. We're done with it?

CHAIRMAN FRYER: Well --

COMMISSIONER VERNON: Is that the plan?

CHAIRMAN FRYER: -- that is what is being proposed.

COMMISSIONER SHEA: We'll have gone through everything.

CHAIRMAN FRYER: Well, we haven't -- well, I'm -- I want to do what you-all want to do, and it's -- because I think next year it's going to be a different animal, and I think the County Manager wants us to dig deeper into it next year.

Mr. Bosi?

COMMISSIONER VERNON: I don't know. I mean, I just -- I guess I'm confused is the best word, because I thought we didn't want to rubber stamp it. I probably would have rubber stamped it because everything I heard sounds really good, you know. This is a well-run county and fiscally responsible, forward thinking. And I didn't hear anything that troubled me at all. So I'm okay just approving it. But I guess I started the day saying, okay, we're not just going to rubber stamp it. We're going to dig into this stuff. So maybe the concept is today or at the next meeting we can discuss a procedure for actually digging in for next year so that maybe we start looking at one thing per month or something so that we're not doing this again next year unless that's what we want to do, if that makes sense.

CHAIRMAN FRYER: It does. Let me just tick off the five bullet points that appear on Page 973 of our agenda packet, because I think this is a succinct statement of what we're being asked to do.

Number one, to accept and recommend approval of the attached document as the 2022 Annual -- AUIR on public facilities; No. 2, to accept and recommend approval of the Category A, B, and C facilities relative to projects and revenue sources; No. 3, to find that no inconsistencies are contained within the school district's Capital Improvement Plan; No. 4, to consider alternative levels of service for individual components of the AUIR; and, finally, to recommend adoption of the CIE schedule of capital improvements update and, by reference, the school district's Capital Improvement Plan.

And I've got to tell you, staff does an excellent job with this stuff, and the fact -- we're not -- we would not be shirking our responsibility if we concluded it today. I

have a very, very high level of confidence in the work staff does here, but I just wanted to be sure that everyone is comfortable concluding it this afternoon.

COMMISSIONER VERNON: I am comfortable concluding it this afternoon and would propose that we come up with -- and don't have to do it today, but in the next -- before the end of the year come up with a plan so that we can kind of dig into these things, if that's our job, along the way so we're not trying to cover this much ground in one day next year.

CHAIRMAN FRYER: Mr. Bosi, do you want to weigh in on that?

MR. BOSI: The preparation of the AUIR is pretty robust. The taking it a month by month would not -- will not -- it just -- we don't have the time frame. We don't have the time to be able to spread out 11 different divisions and departments over the course of a year because of, like I said, this AUIR has to be -- is heard by the Planning Commission in the fall. We could do it over a two-month period, maybe, to get into a little bit more manageable chunks, but it has to be to the Board of County Commissioners by the end of the year, which sets the budgetary process up starting in the first of January and February where they get their preliminary budgets, and then they'll have -- and they'll have further revisions to that.

The Board of County Commissioners has budgetary hearings in June, and then a final adoption in September, which is the start -- is normally the start of the AUIR -- actually, we present the AUIR to the County Manager in August.

So we can work with the Planning Commission to try to break this up into smaller bits, but to spread it out over the course of a year would be very difficult at best just upon the timelines and the development of each individual section.

So we can -- we can at a -- at a later meeting we can have a proposal. But you're digging into it. I mean, I'm not sure how much further we need to dig into it. Maybe it's -- one of the things that we can do -- and I know that you requested it, but we need to get this to you 30 days before. Then you can dig into it, and then when we have our division departments here, you can hit to the heart of the matter of what you saw when you had more time to spend with it, and maybe that's a better solution, but -- and I appreciate the Chair's -- because staff does spend a lot of time and our County Manager's organization spends a lot of time refining it before it gets to the Planning Commission to make sure everything is in the way that they would like to see it.

COMMISSIONER VERNON: Well -- and I'll try to make this my final comment. But the last thing I want to do is create more work for you guys. So I'm not interested in creating more work for you guys. Number two --

CHAIRMAN FRYER: Yeah, I think -- oh, I'm sorry. I didn't mean to interrupt.

COMMISSIONER VERNON: Number two, if I get it 30 days before and I read through the whole thing, I'm not sure I add that much value. What I'm really trying to accomplish is one of two things, either be told I'm off base, which is fine, or find a way to ferret out from each of these high-quality staff members doing a great job saying if you were a king for a day and you could make a little tweak but you're having a hard time doing it because of the bureaucracy, I want to open the door to you guys presenting one idea to us that we can kind of push as part of this AUIR and give you some momentum to make it an even better county. So that's all I'm trying to accomplish, and maybe that's not my job.

MR. BOSI: Well, I think you did it. I think the Planning Commission already did

it. They recognized that the level of service for libraries didn't kind of -- I don't want to say smell right, but was ripe for an opportunity to review.

So any one of these departments, divisions, whether it be EMS, whether it be libraries, whether it be Transportation, whether it be Utilities, if you feel that there's maybe some opportunities to say, when you bring -- when you bring this back next year, could we have some recommendations upon some modifications to level of service that you feel that maybe there is, you know, an opportunity. That, to me, is where I think that value add is provided for.

COMMISSIONER VERNON: That's really what I'm looking for. I mean, I do appreciate the opportunity to look at it for 30 days before, but I'm not going to have the great idea. One of you guys is going to have the great idea. That's -- that's all I'm looking for.

CHAIRMAN FRYER: So let's just --

COMMISSIONER VERNON: I'm fine voting on it.

CHAIRMAN FRYER: Let's say that -- okay. Then without objection, we will vote on it after we hear from Ms. Williams. But next year for sure please get it to us 30 days before the meeting, and then the meeting will last as long as it lasts. If it carries over into a second day, there will be no question but that that was because we were able to dig deeper and ask -- but it's nothing in any respect to be critical of staff. You guys do an outstanding job on this thing. I just want to be sure that we do half as good a job up here that you guys do. Thank you.

Ms. Williams, go ahead.

MS. WILLIAMS: For the record, Tanya Williams, Public Services department head, former Library director.

Just very quickly, you have 10 libraries throughout the Collier County system. There are no independent libraries. They are all part of Collier County Government.

You will notice that predominantly your libraries are scattered along the western coast of Collier County. You do have a library in Immokalee. You do have a 900-square-foot library in Everglades City that is housed in City Hall.

You will notice that there is very minimal library access in the Orangetree/Ave Maria/Oil Well Road/Immokalee Road area. That is an area that, obviously, is going to be coming online with more development in the coming years, and we'll need to take a very close look at what your libraries should look like out in that area.

At present, you have enough square footage based on that .33 square feet per capita to meet the needs of the community through Year 9 of our AUIR. Year 10 we're going to be looking at a deficit. In your packet it shows a deficit of almost 1,700 square feet.

We do have land that is part of the Fiddler's Creek development. A little less than three acres are set aside as deed restricted for a library. EMS also has some land in Fiddler's Creek. We're not looking to develop that land any time soon.

Fiddler's Creek is not necessarily an area that we would be looking at until we see further development along the East Trail of 41.

So, currently, this is where you stand. We're in good shape from an AUIR perspective if we stick with that .33 square feet, but I think we've already heard today that that is an area of opportunity for us to have further discussion on. And I can tell you that library staff would be -- enjoy such conversation. Very rarely do we have interest be it good, bad, or indifferent in how your libraries sit in Collier County.

So with that, I can answer any questions -- any further questions you may have about your public library system.

CHAIRMAN FRYER: Planning Commission?

(No response.)

CHAIRMAN FRYER: You must have done an outstanding job as always.

Mr. Bosi.

MR. BOSI: Before you guys vote -- and I do appreciate taking action on it today. We do have a representative from Coastal Zone, and I think it would be interesting to hear from them, because we have an AUIR. It's based upon a pre-Ian condition. And just, even for myself, just to hear what the impact has been and what the anticipation, some of what we may see moving forward.

CHAIRMAN FRYER: Okay. I need to check with the court reporter, because if we need to take a five-minute break, we can do it and come back.

THE COURT REPORTER: (Shakes head.)

CHAIRMAN FRYER: Okay. Getting a negative. All right. Thank you.

COMMISSIONER SHEA: Bring it on.

MR. MILLER: For the record, Andy Miller, manager of Collier County Coastal Zone. Let me see if I can get this thing.

I'm not seeing it. Thank you for your patience.

Again, Andy Miller with Collier County Coastal Zone.

And this is -- we'll get to your question here in a second, but I'm just going to quickly go through with what our services are and some semblance of it. We don't have a defined level of service, but we do have some target criteria.

First of all, beach renourishment. You-all know what we do. This is more of a reminder than anything. Beach renourishment provides the protection of lives and property for upland coastal Collier County; provides recreational benefits for residents and tourists.

Our level of service, typically we like to have 100-foot-wide beaches on Vanderbilt, Naples, and South Marco, and 85-foot wide; that's, obviously, the width of the beach.

Maintaining the level of services is a matter of monitoring annually. It's a permit requirement but also to determine conformance with the adopted design standard width. Sand volumes are also measured for losses, which may identify erosion issues -- erosion issues other than beach width. And then the annual monitoring reports that we get tell us what we need to do in the way of our fall renourishment projects. And the beaches we work are Vanderbilt, Pelican Bay, Parkshore, Naples, and then South Marco.

CHAIRMAN FRYER: What about Moorings?

MR. MILLER: Moorings is in the City of Naples, yes.

CHAIRMAN FRYER: Okay. It didn't show up on your -- that's all right. What are you going to do with all of the sand that has washed up and is now dirty? Are you going to be able to purify that sand?

MR. MILLER: We're going to probably try. Probably the first thing we'll look at doing is maybe building an emergency berm with maybe imported sand or dredged sand from offshore. We're going to look at that to see what the quantities are going to be. And then along with that renourishment of the emergency berm, we will try to recover some of that sand. We've got a contractor on board that has the capability of sifting and washing

and cleaning the sand to put it back on the beach.

CHAIRMAN FRYER: I see. Okay. Thank you.

MR. MILLER: So the second thing we do is -- and, you know, we just did our renourishment project last year. We just did our inlet management at Doctors and Wiggins Pass, but inlet management's another important thing that we take care of.

Inlet management, the benefits are it maintains safe navigation for boaters, and it also provides -- you know, the sand that we dredge out of the inlets provides nourishment for beaches upstream and downstream of the inlets itself.

Level of service, inlets are managed to meet the FDEP permit template depths. Outside inlets are typically maintained to a desired minus 12. Now, the threshold for dredging, you get closer to three and four feet at mean low, low. But when we start getting boaters having issues with hitting sandbars, et cetera, et cetera, we recognize it's time to dredge, so -- but we monitor the inlets every year.

Maintaining a level of service is -- again, all inlets except for Collier Creek are maintained and monitored annually as a permit requirement but also to determine conformance at the adopted standard depths.

Major and minor dredging is planned on four-year cycles with smaller intermediate dredges every couple years in between.

We do biological monitoring, basically, to make sure that what Coastal Zone does in the way of beach renourishment doesn't affect our environmental friends. The biological monitoring ensures permit compliance required to meet conditions for the maintenance and inlet management projects. It actively measures the health of the Collier County ecosystems, which provide a host of benefits to residents and tourists of the like.

Level of service, we basically have to follow the monitoring conditions, and FDEP is -- recognizes the fact that we do a great job in our monitoring, and we're always up to speed on that.

Maintaining the level of service, we have consultants experienced with the FDEP monitoring requirements, and they conduct annual monitoring of the hard bottom resources as well as the turtles and the seabirds, and we also have qualified county staff that perform the sea turtle and bird monitoring.

We do channel marker maintenance. We've got some work to do in the next several weeks getting some of these replaced. We actually got finished placing, I think, seven or eight of them at Wiggins Pass this afternoon, so we're making headway.

We do that work to ensure adequate marking of the navigation of the channels and appropriate regulatory markers to promote safety of the boating public.

And the level of service, systemwide, we have over 1,500 assets, meaning piles and the signs on the piles and buoys and other channel markers, so we've got a lot to work on and keep up to -- up to snuff.

We also have agencies that we coordinate with, including Coast Guard and City of Naples, City of Marco. They have ownership of a lot of the markers, but we also keep them up to speed on what their needs might be.

Maintaining the level of service, the Coastal Rezone staff are routinely notified of missing or damaged markers but also update an annual inventory condition database from on-the-water inspections. Owners of noncounty markers, such as the Coast Guard and FWC, are notified of any issues related to their markers.

We have a derelict vessel program. We work with FWC to try to keep the

damaged boats out of the water. The vessels can present significant safety issues to boaters navigating county waterways. Since at present 100 percent of the cost for the derelict vessel removal is paid by FWC, then it makes perfect sense to take advantage of that.

Level of service, since derelict vessels are an undesirable condition for both safety and aesthetic reasons, the ideal level of service is to have a zero tolerance target.

It's not impossible, but it's tough to do. The biggest issue is the time-consuming effort, which requires, you know, working with the FWC to get the applications in and approvals and the funding and, obviously, the contractor to get rid of the boats.

And we rake the beaches daily, Monday through Friday. We have a raker on South Marco, we have a -- not South Marco, but the entire Marco beach, and we have a raker up at Vanderbilt Beach. So we do that daily to maintain the aesthetics for the public, and then as far as maintaining the level of service, again, we do it daily, and so our guys are out there on the beaches every day. If they see extreme events like mass red drifts, algae, or fish kills, we can bring in contractors on our emergency services library contract and put them to work to address those kind of situations.

And, Mike, your question was?

MR. BOSI: The condition of our beaches related to the expectation of what they traditionally are.

MR. MILLER: Well, they were obviously a mess on September 28th, 29th, but we had -- like I said, we have emergency services contractors that came on and did a phenomenal job. And if you go out there today -- as a matter of fact, we drove the beach yesterday, and we'll drive it again tomorrow -- they're virtually clean. If you get a chance to get out there, you won't see much in the way of any kind of debris. There's still things washing in from offshore, but we'll address those on a daily basis. We've lost a lot of sand from, you know, first blush, but we've got a surveyor as we speak on the beach measuring to find out what kind of sand we lost and what opportunities we might have to get FEMA reimbursement for some of that sand loss.

CHAIRMAN FRYER: Commissioner Shea.

COMMISSIONER SHEA: Just a quick question. I notice you do Marco beaches, Marco Island Beach.

MR. MILLER: That's correct, as far as --

COMMISSIONER SHEA: Isn't that one of the few -- everything else on Marco Island is maintained by Marco Island, isn't it? Why do we choose to take care of their beach and not their water, wastewater, or roads?

MR. MILLER: Well, the beaches --

COMMISSIONER SHEA: It's more of a question maybe for Mike.

MR. MILLER: Sure, go ahead.

MR. BOSI: I don't know this for a fact, but I would imagine that we've got a service agreement whereas they --

COMMISSIONER SHEA: I see.

MR. BOSI: -- you know, we have regular contracts with firms for our beach renourishment. So as part of that, and economies of scale, we probably have that. That happens a lot of times with municipalities and counties in terms of --

CHAIRMAN FRYER: I think --

COMMISSIONER SHEA: That makes sense.

CHAIRMAN FRYER: I think there's an interlocal agreement with Naples and with Marco Island.

MR. MILLER: Well, we have an interlocal with the city, and they actually do rake their own beaches, and then we reimburse them with tourist development dollars, but the City of Marco's beaches -- you have to keep in mind that City of Marco's beaches aren't City of Marco's. They're the State of Florida's beaches, and so Collier County manages the state's beaches for the state. And so in this case we just take care of Marco's because we do, and it's our system.

CHAIRMAN FRYER: Thank you.

COMMISSIONER SHEA: Thank you.

CHAIRMAN FRYER: With my apologies, sir, I didn't catch your name. Would you give it to me again?

MR. MILLER: Andy Miller.

CHAIRMAN FRYER: Mr. Miller.

Does anybody else have questions for Mr. Miller, comments?

(No response.)

CHAIRMAN FRYER: If not, many thanks, sir. Appreciate it.

MR. MILLER: Thank you all very much.

COMMISSIONER VERNON: You've been busy, so keep up the good work.

MR. MILLER: Absolutely. It's fun.

CHAIRMAN FRYER: Mr. Bosi.

MR. BOSI: That -- and like I said, that concludes the AUIR presentations. And I think the appropriate recommendation would be as stated within Page 9 of the staff report: The Planning Commission forwards the recommendation of approval to the BCC.

CHAIRMAN FRYER: Thank you.

And just to see if I can frame that, Pages 8 and 9, the end of Page 8 and the beginning of Page 9, set out the five points that we're being asked to make a recommendation on, and I've stated those. I read them verbatim; don't need to read them again. They're in the record. And I know that assuming we approve this, that all five of those will be shown above the statement of "we're recommending approval," correct, Mr. Bosi?

MR. BOSI: That's correct.

CHAIRMAN FRYER: Okay. So I'd entertain a motion at this time.

COMMISSIONER VERNON: Vernon moves.

CHAIRMAN FRYER: Is there a second?

COMMISSIONER SPARRAZZA: Second.

CHAIRMAN FRYER: It's been moved and seconded that we approve in the form of a recommendation to the BCC the five bullet points that appear on Page 9 of the staff report. Having already been read into the record, we've considered those, and with -- having considered them, we're ready to vote. There being no further discussion, all those in favor, please say aye.

COMMISSIONER SHEA: Aye.

CHAIRMAN FRYER: Aye.

COMMISSIONER VERNON: Aye.

COMMISSIONER SPARRAZZA: Aye.

CHAIRMAN FRYER: Opposed?

(No response.)

CHAIRMAN FRYER: Thank you. It passes unanimously.
And with that we go to old business, of which I take it there is none.

(No response.)

CHAIRMAN FRYER: Similarly, new business. Is there any?

(No response.)

CHAIRMAN FRYER: Seeing none, we have none of that.

Public comment. Any member of the public here who wants to speak on something that is not part of the agenda today?

(No response.)

CHAIRMAN FRYER: There appears to be none, so without objection, we're adjourned.

There being no further business for the good of the County, the meeting was adjourned by order of the Chair at 4:40 p.m.

COLLIER COUNTY PLANNING COMMISSION



EDWIN FRYER, CHAIRMAN

These minutes approved by the Board on 12/1/22, as presented or as corrected _____.

TRANSCRIPT PREPARED ON BEHALF OF FORT MYERS COURT REPORTING BY
TERRI L. LEWIS, RPR, FPR-C, COURT REPORTER AND NOTARY PUBLIC.