

**MINUTES OF THE MEETING OF THE COLLIER COUNTY
DEVELOPMENT SERVICES ADVISORY COMMITTEE**

December 1, 2010

LET IT BE REMEMBERED that the Collier County Development Services Advisory Committee, having conducted business herein, met on this date at 3:00 PM in REGULAR SESSION in Conference Room #610, Collier County Growth Management Division/Planning & Regulation, 2800 N. Horseshoe Drive, Naples, Florida, with the following Members present:

CHAIRMAN: William Varian
Vice Chair: David Dunnivant
Ray Allain
James Boughton
Clay Brooker
Laura Spurgeon DeJohn
Dalas Disney
Marco Espinar (Excused)
Blair Foley (Excused)
Reagan Henry
George Hermanson
David Hurst (Excused)
Reed Jarvi
Robert Mulhere (Excused)
Mario Valle

ALSO PRESENT: Nick Casalanguida, Deputy Administrator, Planning & Regulation
Judy Puig, Operations Analyst – Staff Liaison
James French, Director – Operations & Regulatory Management
Jay Ahmad, P.E., Director – Transportation Engineering
Tom Wides, Director – Operations Support, Public Utilities
Nathan Beals, Project Manager – Public Utilities
Amy Patterson, Impact Fee Manager & Economic Development Manager

I. Call to Order:

Chairman William Varian called the meeting to order at 3:03 PM and read the procedures to be observed during the meeting.

II. Approval of Agenda:

Reed Jarvi moved to approve the Agenda as submitted. Second by David Dunnivant. Carried unanimously, 9 – 0.

III. Approval of Minutes – November 5, 2010 Meeting:

Dalas Disney moved to approve the Minutes for the November 5, 2010 meeting as submitted. Second by Reed Jarvi. Carried unanimously, 9 – 0.

IV. Public Speakers:

(Will be heard when Item is discussed.)

V. Growth Management Division – Staff Announcements/Updates:

A. Public Utilities Division Update: Nathan Beals, Project Manager, Public Utilities

- Public Utilities/RPZ Subcommittee met on November 15th
 - Next meetings: Monday, December 6th, 3:00 PM
 - Friday, January 7, 2011 at 1:00 PM
- Discussion Group met in November, but will not meet in December

Reed Jarvi requested an update on the Subcommittee meeting.

David Dunnivant, Subcommittee Chairman:

- Coming to an understanding - may reach a more reasonable charge for fire services
- Debate continues concerning any charge for fire services
- May be relegated to presenting a non-unanimous position to the Board of County Commissioners who will decide the issue

Nathan Beals noted the BCC's directive was not to return until the Subcommittee had reached a decision, which may take up to one year.

- Utilities is working with the Fire Code Office and Fire Districts to choose sites to monitor pressure readings for at least one year

David Dunnivant stated the Subcommittee is pursuing more reasonable cost charges.

- Regarding the issue of RPZs/meters – the one-year study will monitor heightened pressure to determine if it can be maintained throughout the system if Fire agrees
- Fire's concern – there are other providers of water, County-wide, for fire systems and they will be affected by whatever decision is reached

Nathan Beals explained the current policy is to charge standard domestic connection rates if the threshold is exceeded. Public Utilities has proposed to charge 1/12th of the

availability fee if a customer uses over 5,000 gallons (threshold) during a one-month period.

(Laura Spurgeon DeJohn and George Hermanson arrived at 3:09 PM.)

B. Fire Review Update: Ed Riley – Fire Code Official, Fire Code Office

- The Monthly Activity Report for October 2010 was submitted.
- 742 reviews were conducted.

Mr. Riley stated the Fire Code Office is compiling an extensive list categorizing the types of first review rejections. The issue will be addressed with the Industry when the statistical analysis has been completed and identified the problems as well as the specific contractors who have experienced review failures.

Dalas Disney requested Fire Code's assessment of the Subcommittee meetings.

Ed Riley:

- The County provided more information to the Subcommittee and the Members have a better understanding of the County's issues
- Fire Code Office and Fire Districts have selected four locations to be monitored throughout the County's water system
 - North Naples (1), Golden Gate (2), East Naples (1)
 - Possible 5th location: County Courthouse – hydrant will be monitored if the County supplies water to the Courthouse
- Static pressures will be monitored for one year before a determination is made concerning the request to raise the extrapolated formula for sprinkler systems
- Concern: Public Utilities is not the only provider of water within the boundaries of the County
- Fire is working with the various water purveyors to perform similar testing
 - Immokalee and Golden Gate water districts have agreed
 - Waiting for responses from others as well as the City of Naples for the areas that extend into the Fire Districts
- Objective: To obtain a broader picture in order to standardize requirements

Q. *Will this process take an entire year or can it be accomplished sooner?*

A. The Fire Districts requested a one-year Study to allow for tracking of any trends.

Mr. Riley introduced a new topic:

- Members were forwarded a Fee Schedule for planning-related review times.
- The County made significant changes to accommodate "CityView"
 - Acronyms and categories of review times were changed
- Fire reviewed the current Fee Schedule
 - Three fees were reduced
 - Six were eliminated
- Revised Fee Schedule will be sent to the Fire Districts for approval
- Effective date: January 1, 2011

Q. *What about the waiver process especially for insubstantial changes that may have nothing to do with Fire?*

A. There is no waiver process – everything must be documented in the computer system, which takes time.

Q. *Why is a project name change reviewed by Fire?*

A. The Fire Districts are effective in their address books and log books. Names are verified to eliminate duplication as does the County and the information is distributed to the Districts in a timely manner in case there is an objection to a name.

Q. *If the County does the same thing, can't the County notify you?*

A. Fire has a different viewpoint when reviewing names. The County may not realize there is a problem in a specific Fire District. The County will allow a similar name as long as there is a difference from an existing name, but that can be confusing if the name is too close.

Q. *Regarding #14 – Land Development Code Amendment – does Fire receive \$150 for each Code Amendment?*

A. The fee is not to amend the Land Development Code. It is to review a permit application that has requested an amendment for a specific project – a privately sponsored amendment. We do not review the Land Development Code – only when it is related to a specific plan or project.

Mr. Riley stated that, to date, Fire has not performed that type of review although County Staff advised Fire that a review was required.

Nick Casalanguida, Deputy Administrator, stated he would meet with Fire to review the Fee Schedule before it is finalized.

Mr. Riley noted, in the past, Staff determined what did or did not affect Fire and the result was not always correct. He stated a number of items went through and were caught in the field later that should have been sent to Fire initially but were not.

Commercial projects must be reviewed by Fire, as required by Statute. Fire determined which reviews were not related to Fire and they have been eliminated.

Mr. Casalanguida stated he met with several engineers concerning the SDP routing process and one of the issues was “why is everything routed to everyone?” He will meet with Ed and Jamie to discuss the issue.

It was noted the Fee Schedule was presented to DSAC as a courtesy since DSAC does not have jurisdiction to make a recommendation.

C. Transportation Planning Division Update: Jay Ahmad, P.E., Director, Transportation Engineering

- Oil Well Road Project has been under construction since February
 - Stage II will begin in January 2011 – traffic will be switched to the south
 - The eastern portion of the Project is on schedule

- A design project is ready for construction
 - The County received an Intent to Permit
 - Davis (from Radio Road to Collier) and Collier (from Davis to I-75) projects will be bid together
 - The State will refund \$20M in increments to the County in 2012

Mr. Ahmad noted Immokalee/Oil Well would be completed east to the schools (by Orange Blossom). Concrete was poured for the bridge deck three weeks ago and approximately half has been completed. The proposed lane switch will be west of the bridge.

D. Planning and Regulation Update: James French, Director, Operations and Regulatory Management

- For over-the-counter Permits, the customer can submit by PDF or by fax and will be able to pay online.
- The minimal fee is collected to begin the process and the remainder will be paid when the Permit is picked up.
- A kiosk will be set up by the Information Counter, type in the Permit Number, pay the balance owed by credit card.
- The digital submission option will be completed by January 2011.
- Met with the Engineering community to streamline the Land Development process. A Kaizen event will be scheduled beginning in mid-January 2011.
- Fee Schedule Update: Working with Bill Lorenz, Jack McKenna, Claudine Auclair, and Gary Harrison – have found some repetitive services with different prices (in Land Development side and in Building Department side).
 - A consultant was hired to review the Building Department fees
- Results will be presented to DSAC prior to presentation to the Board of County Commissioners in February/March

Q. *What is status of CityView and when will it be implemented?*

A. At a November 17th meeting the CEO/President of Harris admitted the problems were their fault and he was committed to correcting the situation. Module III – Building Department side – will be operational in February/March. Delivery of the final product is scheduled for March 2011.

Q. *What is the status emailing review comments during the Building Permit review process?*

A. The intent is to take as much digital as possible by January. The comments will be posted and updated daily on the website. A customer can input the permit number to obtain the information. Currently working with a new product, “Active Review.” Options are being reviewed. May open a portal through CityView. It may take six months to one year before “Active Review” is operational. Portal is currently in testing for Land Development.

The CityView project began seven years ago. It was stressed that access to review comments is important to the Industry.

Mr. French agreed to notify the Industry via email when CityView is active.

VI. Old Business:

A. Update: Road Impact Fee (clarification of Reed Jarvi's questions) and Finalize Law Enforcement Impact Fees – Amy Patterson, Impact Fee and Economic Development Manager

- Two questions from Reed Jarvi concerning technical calculations on Road Impact Fees were included in the information packet.

Amy Patterson stated the County collects approximately 20% of the Impact Fees due at the SDP level. (Previously 50% was collected.) The topic will be reviewed during the next Study.

Nick Casalanguida explained interest income (“revenue”) from Impact Fees was not necessarily returned to Transportation. It often diverted into the General Fund.

Reed Jarvi questioned including the State’s carrying costs in the County’s carrying costs, and asked if the figure could be addressed as a separate category in the future.

Mr. Casalanguida stated the County receives minimal support from the State because there are so few State roads on the SIS. Most of the State funds are directed to the SIS and the County had advanced funds for work on State roads (i.e., Davis project).

Law Enforcement: Ms. Patterson was requested to review the implication of removing the land value from the Law Enforcement Impact Fee. The land value represents 5% of the Inventory. She stated removing the entire amount of land would adjust the fee by only approximately 8%. The 14 categories that were increased will still be increased even if the land was removed. She noted more review was necessary.

She further stated there is an alternate proposal that will be presented to the Board concerning how to adopt the Law Enforcement Fee.

Staff recommendation: To phase-in the implementation for the first year at 60% of the proposed Fee, which will result in a decrease in every category. In the second year, 80% of the Fee will be implemented which will result in a small increase. In the third year, there will be a full implementation.

A question was asked concerning the Fleet facility and the Special Ops building (one-time facilities).

Amy Patterson noted the “driver” of the Fees for Law Enforcement was the cost of equipment (i.e., cars, computers). The equipment was not revalued. It will be monitored for the next Study.

There was a Cost/Credit Update of the Impact Fees in 2006 but the inventory was not re-counted. In the current Study, it is the first time that all of the items were counted.

There was a lapse because the Board delayed the 2009 Study to 2010. The next Study will be more representative.

Mario Valle moved to approve recommending adoption of the phased implementation process to the Board of County Commissioners. Second by Ray Allain. Carried unanimously, 11 – 0.

Ms. Patterson asked if she should include the language that the next Study should

review the appropriateness of including the buildings as well as the land values in the Inventory.

David Dunnivant stated the language applies to Government Building Impact Fees and requested that it also be included under that category.

Consensus: Yes.

B. Update: Web Portal for Planning & Engineering Review – Jamie French

C. Update: Revision Comments – Jamie French

(The Topics were discussed during the Planning and Regulation Update)

D. Discussion of Impact Fees – Tom Wides, Director, Operations Support – Public Utilities and Robert Ori, Consultant

- At last month's meeting, a presentation on the Impact Fee Study was reviewed.
- There were a total of five questions submitted by Committee members.

Question #1 concerned the debt service on new facilities built with Impact Fees.

- Growth-related debt service is approximately \$11.2M (51% of total outstanding debt service)

Ray Allain stated he questioned the use of the Impact Fees. He noted there is an excess of capacity (40%) in the system currently and approximately \$15M (of the \$21M for growth-related expenditures) is earmarked to maintain the excess capacity as "ready for use."

- What will it cost to actually use the excess capacity?
- Since the system has excess capacity, why are there any expenditures in this year? Why would it be necessary to build anything else?

Tom Wides clarified the \$15M will be spent over a ten-year period and the intent is to apply it to the Impact Fees.

- The Study did not include costs for distribution, collection, or infrastructure. It addressed only the backbone of the facility and the main transmission lines.
- Most of the cost is related to two major projects which will be spread across all capacity.
- Water System:
 - \$5.5M for Renewal, Replacement, Enhancement Projects (Capital Costs – New Growth)
 - "Other" - \$100M
 - The High TDS RO design, construction and supply project is to preserve the well field to prevent it from becoming more saline in the future - 32%
- Wastewater System:
 - \$9.6M for Renewal, Replacement, Enhancement Projects (Capital Costs – New Growth)
 - "Other" - \$187.6 M
 - NCWRF Treatment process improvements – 79.2%

The aquifer is becoming more saline and four wells are unusable. Introducing a new RO process will allow treatment of the high TDS water and removal of the saline portion from the aquifer. The project will cost approximately \$8.5M.

Even if no new users came online in the next ten years, the reverse osmosis system will still need to be implemented.

A lengthy discussion ensued concerning how the percentage was derived. Reference was made to the handouts and charts distributed by Public Utilities. An explanation of the calculations and incremental costs to the system was provided. It was noted all replacement costs will not be recovered, only the increased per-unit costs associated with new growth.

Public Utilities objective is to improve the overall system and maintain readiness for future users. The new customers to the system will pay an incremental cost differential. Future projects to be brought online were identified on Table #3.

Lengthy discussion continued concerning allocation of costs, excess and diminished capacity, retirement of facilities, sustained usability, consumption of excess capacity, and debt service.

Mario Valle suggested further explanation of growth-related line items on Tables 2 and 4 was needed. He further suggested continuing the discussion at the next meeting.

(Mario Valle and James Boughton left at 5:15 PM).

VI. New Business:

A. Presentation: CBIA's progress regarding revising LDC – Mike Rosen, Collier Building Industry Association – Developer's Council

(A copy of the report was distributed to the members.)

- Background: Leo Ochs requested that the CBIA form a committee to review and suggest amendments to the LDC to remove any items that would hamper growth and prosperity in Collier County.
- Nick Casalanguida stated consultants were hired to review Chapter 10 of the LDC as quickly as possible.
- Some of the elements included in the report: architecture, transportation, environmental, re-development, and zoning.
- The Landscape Architecture group had no changes to recommend.
- CBIA's proposed changes were outlined in the report.
- CBIA is moving forward with the County concerning the proposed changes as well as the Chapter 10 issues.

It was noted there are practical issues to be addressed in Landscape Architecture concerning expense, obscured visibility, and buffers for adjoining land uses. Other

areas suggested for streamlining are Architectural Standards and code compliance for Re-development.

The Subcommittee felt the current LDC should be scrapped and started from scratch. It was suggested to find an LDC from another municipality that could be adopted.

VIII. Committee Member Comments:
(None)

Next Meeting Dates:

January 5, 2011 – 3:00 PM
February 5, 2011 – 3:00 PM
March 2, 2011 – 3:00 PM
April 6, 2011 – 3:00 PM

There being no further business for the good of the County, the meeting was adjourned by order of the Chairman at 5:25 PM.

**DEVELOPMENT SERVICES
ADVISORY COMMITTEE**



William Varian, Chairman

The Minutes were approved by the Board/Committee on 1/5/11,
as presented , or as amended _____.