

November 3, 2010

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

November 3, 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  
Regan Henry  
George Hermanson  
David Hurst  
Reed Jarvi  
Robert Mulhere  
Mario Valle

**ALSO PRESENT:** Nick Casalanguida, Deputy Administrator, GMD – 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  
Amy Patterson, Impact Fee and Economic Development Manager  
Robert Wiley, Principal Project Mgr., Watershed Study Project/FEMA  
Nathan Beals, Project Manager – Public Utilities

**I. Call to Order:**

**Chairman Varian** called the meeting to order at 3:00 PM and read the procedures to be followed during the meeting.

**II. Approval of Agenda:**

*Change:*

- **Blair Foley** requested to add the topic, *LDC Amendments Subcommittee*, under Item VI, Old Business,” as “A.”

*Robert Mulhere moved to approve the Agenda as amended. Second by Mario Valle. Carried unanimously, 13-0.*

**III. Approval of Minutes – October 6, 2010 Meeting:**

*Change:*

- On Page 4, the first sentence was revised as follows:  
“Mr. Ahmad stated the at-grade *improvements to the intersection at 41 – 951* will begin ....”

*Dalas Disney moved to approve the Minutes as amended. Second by James Boughton. Carried unanimously, 13-0.*

**IV. Public Speakers:**

*(None)*

**V. Growth Management Division – Staff Announcements/Updates:**

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

- Discussion Group meeting was cancelled in October
- Utilities Standards Committee meeting will be held on November 16<sup>th</sup>
- Public Utilities/RPZ Subcommittee will meet on:
  - Monday, 11/15, 3:00 PM and
  - Monday, 12/06, 3:00 PM

**Q:** *Has the Utilities Department provided all necessary information to Fire Plan/Review?*

**A:** Yes.

**Q:** *Did you meet with the Fire Code Officials concerning the 50-psi Proposal and what was the outcome?*

**A:** The data is under review and the topic will be included on the agenda for the Subcommittee meeting.

**B. Fire Review Update: Bob Salvaggio – Fire Code Office**

- The Monthly Report was submitted.
- A total of 625 reviews were conducted in September.

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

- Public Meeting: *I-75/Everglades Boulevard Interchange* will be held on November 4<sup>th</sup> at the Palmetto Elementary School (10<sup>th</sup> Street SE)
  - “Cumulative Impact Study” for the Interchange will be conducted by the State prior to conducting the PD&E Study
  - The new process, which has not been implemented previously, may delay design of the Interchange
  - Goal: emphasize the importance of the project for the residents of Collier County

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

**Q.** *Concerning the website (“Permit-Tracking”), are you updating the page?*

**A.** Examining the digital submission process through email, we will post the comments to a webpage so the user will be able to access the page through the County’s website. It will require additional maintenance by the County. The page should be online by December.

**Mr. French** stated several Plan Reviewers voluntarily left Gary Harrison’s area. Current “bottle-necks” are being reviewed to determine how to elevate the problem in Building Permits/Review. He will report on the situation within the next two months.

*(David Hurst arrived at 3:10 PM.)*

**Q.** *Is there any current information on the web portal for Planning and Engineering reviews?*

**A.** A meeting has been scheduled for November 12<sup>th</sup> with Jeff Bender, CEO of Harris, the company that purchased “CityView” which is not up and running due to several issues. The County has paid for the server and for licensing. He will update the Committee at the next DSAC meeting.

**Q.** *What is the status of Building Permit Tracking on the webpage?*

**A.** Report all problems directly to Jamie French. He stated the problem is on the IT side.

**Q.** *Regarding “comments,” can the comments of the individual reviewers be sent as they are completed?*

**A.** The issue is re-submittal. You cannot resubmit until all comments are made.

It was noted having the comments would allow revisions to be made while waiting for the final review.

**Mr. French** will update the Committee at the next DSAC meeting.

**VI. Old Business: (Revised per amendment to Agenda)**

**A. LDC Amendments Subcommittee – Blair Foley**

He outlined the following concerns:

- Current redevelopment activity (existing and abandoned buildings) may not be “in tune” with LDC amendments
- Time frames re: Extensions of Development Orders – need a strategy regarding continuing the extensions – clear instructions
- Language changes – allow for flexibility in the Code (“reasonableness”)
- Suggested review of Codes for Landscaping, Parking, ADA, Architectural, Fire
  - Fire is requiring to see “everything” – and charges a review fee

**Bob Mulhere** stated representatives of CBIA (“Collier Building Industry Association”) were invited by the County Manager to review the Land Development Code and several Subcommittees were created. One of the Subcommittees specifically reviewed Redevelopment and Process. He will obtain a copy of CBIA’s report, which proposes new LDC Amendments, for distribution to the Members (via the Staff Liaison).

**George Hermanson** will contact CBIA to request a speaker for the next DSAC meeting. **Chairman Varian** suggested adding the topic to DSAC’s December agenda.

Regarding the ADA Code, it was noted the County cannot pass legislation that “waters down” the Federal regulations.

A review and comparison of the Federal Code to the local Code was suggested.

**B. Flood Damage Prevention Ordinance – Robert Wiley, Land Development Services**

- The Planning Commission reviewed the draft of the *Flood Damage Prevention Ordinance* (October 21<sup>st</sup>).
- PC had an issue with the notation inserted by DSAC:  
[“Flood proofing to just the Base Flood Elevation will result in a higher flood insurance premium rate for the structure because the flood insurance policy requires rating a structure at one foot below the flood proofing elevation.”]
- The PC would like to remove the notation and require flood proofing for a non-residential structure to be at one foot above the Base Flood Elevation.
- The PC requested DSAC provide the cost implications to help make a final determination prior to the PC’s next meeting on November 18<sup>th</sup>.

There was a lengthy discussion of several issues including variables, gravity slope, size of the structure, effect on structural integrity, retail buildings, the installation of a panel system, the cost increment to flood proof from four feet to five feet, and the lack of a common scenario.

It was noted legislation cannot protect everybody from every possible variation. It was also noted since there was no simple answer to determining the cost analysis, DSAC’s language served as a warning to review FEMA’s documents and regulations prior to making a decision.

**Nick Casalanguida** suggested DSAC provide sample cost analysis for new construction and a remodel with a disclaimer that the figures can vary due to building size and other variables, and to note that costs for insurance are prohibitive and not quantifiable.

**Mr. Wiley** will provide information concerning flood insurance premium rates.

**Dalas Disney** volunteered to provide a detailed drawing and requested help with pricing.

**Chairman Varian** suggested informing the Planning Commission that each situation should be reviewed on a case-by-case basis. He volunteered to assist Mr. Disney.

(The documents will be sent to the Staff Liaison who will forward as appropriate.)

**VI. New Business:**

**A. Water and Wastewater Impact Fee Studies – Tom Wides, Director – Operations Support, Public Utilities**

- Will present the proposed Fee adjustments to the Board of County Commissioners at the second Board meeting in January 2011
- Impact Fees – fund construction of capital projects
- AFPI – funds payment of interest on the construction loans

He outlined the Impact Fees for Water/Wastewater:

- Current - \$7,070 (per ERC – “Equivalent Residential Connection”)
- Proposed - \$6,535
- Decrease – 7.6%

AFPI (“Allowance for Funds Prudently Invested”):

- Current - \$1,693
- Proposed - \$1,511
- Decrease – 10.7%

Combined Fees:

- Current - \$8,763
- Proposed - \$8,046
- Decrease – 8.2%

There are projects slated in the urban area for the next five years.

**Dalas Disney** stated he would abstain from voting on any motions due to a conflict of interest.

Projected collection of Impact Fees: \$47.68M

Growth Related Projects + Debt Service: \$90.52M

**Shortfall: (\$42.83M)**

**Mr. Wides** stated the new projects concern required upgrades to existing facilities as well as added capacity. Example: conversion to a Reverse Osmosis system. He will return to the next DSAC meeting with a specific list of projects, i.e., line items from the Capital Improvement Program (page 4).

**Q.** *Why does Collier County have (with the exception of the City of Marco Island) the highest water costs? (Page 34) Bonita Springs and Lee County are significantly lower.*

**A.** Our most recent capacity additions have been R.O. (reverse osmosis). The user rates for Collier County are approximately in the middle of the pack.

It was noted Marco Island has not updated its Impact Fee Study since 2005.

**Tom Wides** asked the Committee to direct questions to Judy Puig. He will return to DSAC with answers along with better definitions for “on-going maintenance,” and “improvements,” and comparisons to other communities. The rate consultant will also attend the December meeting to answer the Committee’s questions.

**B. Update: Library/Government Buildings, and Law Enforcement Impact Fees – Amy Patterson, Impact Fee and Economic Development Manager**

- Subcommittee Report for Library: *(Mario Valle)*

There were no real issues and capacity is sufficient. The range of decrease is between 42 - 65% depending on the land use category.

**Ms. Patterson** explained why certain buildings/parcels that were not owned by the Board of County Commissioners and the different values for land in each category. There are no plans to build new libraries in the next ten years. The goal is payment of the debt. She noted lower construction costs and land costs were the reasons for the decrease.

***Mario Valle moved to accept the Impact Fees Study for Library Buildings as presented. Second by George Hermanson. Carried unanimously, 14-0.***

- Subcommittee Report for Government Buildings:

The average decrease to residential is 25% and to commercial is 32%.

A question was asked concerning the reductions and why the amounts were not the same as in the Library Study.

**Amy Patterson** noted the different distribution in land and building costs, and the style of libraries constructed were simpler. For Government, there is a mix of commercial and residential parcels. Heritage Bay (Immokalee/951) is the next parcel to be built.

The figure for population increases was questioned and it was noted Comprehensive Planning provided the percentage (projection calculations as mandated by the DCA). There will be an adjustment reflecting the new Census numbers (2010) in the next Update Study (3 years).

***Mario Valle moved to accept the Impact Fees Study for Government Buildings as presented. Second by Robert Mulhere. Carried unanimously, 14-0.***

- Subcommittee Report for Law Enforcement:  
Law Enforcement Impact Fees will be increased in all of the residential categories and a majority of the commercial categories.

**Ms. Patterson** noted the primary difference in the Fees between Law Enforcement and Libraries/Government Buildings was due to equipment costs (capital equipment) and the cost of an additional building (“Special Operations”). There was an accounting for new inventory purchased between 2005, after the last Study was adopted, and 2006 of approximately \$4.3M. There is a 26% to a mid-sized single-family home, or \$92.00.

She noted the cost for the Special Ops building was not passed on to the community because it was paid by the Sheriff’s Department from a different funding source. There was also an increase in equipment costs for the EMS Study – equipment costs overall have not decreased.

It was suggested to exclude the land values for all buildings except the substations.

The number of computers in the Sheriff’s Office and support staff was also questioned as well as the cost (\$4,100) for laptop.

*(David Hurst left at 5:00 PM).*

The Committee asked Ms. Patterson to return with clarifications and will follow-up on the two questions concerning Road Impact Fees from Reed Jarvi.

***Mr. Dunnivant withdrew his vote on Government Building Impact Fees. He stated he was opposed to the decrease as not sufficient.***

**VIII. Committee Member Comments:**

**Chairman Varian** noted that Marco Espinar has been working out of state and has been excused for several meetings. The By-Laws permit six excused or unexcused absences per member, per year.

**Judy Puig** stated he missed four (May, September, October and November) and may miss December.

**Next Meeting Dates:**

**December 1, 2010 – 3:00 PM**  
**January 5, 2011 – 3:00 PM**  
**February 5, 2011 – 3:00 PM**  
**March 2, 2011 – 3:00 PM**

November 3, 2010

**There being no further business for the good of the County, the meeting was adjourned by order of the Chairman at 5:11 PM.**

**DEVELOPMENT SERVICES  
ADVISORY COMMITTEE**



**William Varian, Chairman**

The Minutes were approved by the Board/Committee on 12/1/10,  
as presented ✓, or as amended \_\_\_\_\_.