

July 21, 2010

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

Naples, Florida, July 21, 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 (Excused)  
**Vice Chair:** David Dunnavant  
Ray Allain  
James Boughton  
Clay Brooker (Excused)  
Laura Spurgeon DeJohn  
Dalas Disney (Excused)  
Marco Espinar  
Blair Foley  
Regan Henry  
George Hermanson  
David Hurst  
Reed Jarvi  
Robert Mulhere  
Mario Valle

**ALSO PRESENT:** Nick Casalanguida, Deputy Administrator, Growth Management Division  
Judy Puig, Operations Analyst – Staff Liaison  
James French, Director – Operations & Regulatory Management  
Nathan Beals, Project Manager, Public Utilities Division  
Amy Patterson, Impact Fee & Economic Development Manager  
Ed Riley, Fire Code Official, Fire Code Office  
Michael Greene, Transportation Planning Manager  
Paul Mattausch, Director, Water Dept.

**I. Call to Order:**

**Vice Chairman David Dunnavant** called the meeting to order at 3:03 PM and read the procedures to be followed during the meeting.

**II. Approval of Agenda:**

*Blair Foley moved to approve the Agenda as submitted. Second by Mario Valle. Carried unanimously, 10-0.*

**III. Approval of Minutes – May 5, 2010 Meeting:**

**Changes:**

- On Page 6, under Item VIII (2), the request for an Update of Road Impact Fees was made by **David Dunnavant**, not David Hurst.

*Robert Mulhere moved to approve the Minutes as amended. Second by Mario Valle. Carried unanimously, 10-0.*

**IV. Public Speakers:**

*(Will be heard when Item is presented.)*

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

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

*(Copies of the Summary of Changes to the Utilities Standards Manual were distributed to the Committee.)*

- The Subcommittee was disbanded
- A discussion group will meet on August 17<sup>th</sup> at 2:00 PM in the Risk Management building (near the Jail)
  - Mr. Beals will email directions to Judy Puig, Staff Liaison, for distribution to the Committee
- The revised Manual will be presented to the Board of County Commissioners on September 29, 2010

*(Laura Spurgeon DeJohn arrived at 3:08 PM.)*

**C. Transportation Planning Division Update – Michael Greene, Transportation Planning Manager**

- No Report
- No questions

**D. Planning and Regulation Update – Nick Casalanguida, Deputy Administrator**

- Regarding submission of “as built” – Any documents (drawings) submitted to the County for expansion of permanent structures must be signed and sealed by the professional who provided the original document
  - A raised seal will be required
  - An “Abstract of Title” is not required to be submitted
  - Sheds are not considered to be permanent structures
- The policy will be outlined and issued in a future “Building Block”

**Re: Right-of-Way Permitting**

Mr. Casalanguida noted a “Right-of-Way” permit application may be submitted at the same time as a SDP (“Site Development Plan”) or PPL (“Plans & Plats”). An SDP will not be approved until a ROW Permit has been submitted.

- LDC (“Land Development Code”): The language will be revised (from “Permit approval” to “Permit application”) during the next Cycle

*(George Hermanson arrived at 3:13 PM.)*

**Re: Fee Schedules – James French, Director, Operations & Regulatory Management**

- Updates will be presented to the Board of County Commissioners on July 27<sup>th</sup>
- There are on-going process improvements projects:
  - Building Plan Review – how a reviewer communicates with Staff as well as outside agencies
  - Goal: To expedite the process and exceed current Performance Standards
- Working with Economic Recovery Task Force to identify vacant parcels with shell buildings
- Building is being painted – new colors – fresh face for customers and Staff

**Announcements – Nick Casalanguida**

- Jack McKenna has been hired as the new County Engineer for Engineering Review Services and will begin work next week
- The position of Director – Building Review (formerly held by Bob Dunn) is open and being advertised
  - Volunteers are needed to serve on the Selection Committee

**B. Fire Review Update – Ed Riley, Fire Code Official**

- Monthly Report was submitted in Committee’s information packet
- The number of reviews has been increasing – total 773
- Construction of building will begin in six to eight weeks – the contract for construction will be signed in the near future and permitting plans have been submitted to the City of Naples

**VI. Old Business:**

**A. Impact Fee Update & Indexing – Amy Patterson, Impact Fee & Economic Development Manager**

- Impact Fees are cycled on a two tiers basis – they are indexed during mid-years and fully updated every three years
  - Parks, Jail – on indexing cycle
  - Transportation – mini-study, i.e., Costs/Credits Update – preliminary draft is due in September
- Government Buildings, Law Enforcement, Fire and EMS – are scheduled for review with an additional component to analyze the Levels of Service
  - Draft is due by the end of August

- Studies for Law Enforcement, Government Buildings, and Schools began in January, 2010
- Library – potential for downward adjustment
  - Draft is due by the end of July, 2010
  - Reed Jarvi and Mario Valle volunteered to serve on the Library Impact Fee Review Subcommittee

*(The Subcommittee meeting will be advertised in compliance with the Sunshine Law.)*

Ms. Patterson will report to DSAC at the September meeting.

**B. Review: Fire Service RPZ (“Reduced Pressure Back Flow Preventers”) and Line Size Water Meter Requirement – Nathan Beals and Paul Mattausch, Director, Water Dept.**

*(Chairman William Varian appeared via conference phone during this portion of the meeting.)*

**Vice Chairman Dunnivant** viewed the televised BCC Meeting of June 8<sup>th</sup> and noted the Commissioners directed Mr. Mattausch to vet the two items with CBIA (“Collier Building Industry Association”) and the Fire Districts bringing the subjects through DSAC.

He stated the Report was just issued at 11:00 AM that morning although it had been drafted on July 6<sup>th</sup> and the Members could not review the document due to the short notice.

**Mr. Mattausch** was informed by Chairman Varian that DSAC would convene a Subcommittee to vet the issue.

- Participants will include members from CBIA, the independent Fire Districts, community members, and DSAC members.

He further stated there was concern regarding the issue of Public Health, Safety & Welfare and only the RPZ portion of the Report would be brought back before the BCC for reconsideration during the July 27<sup>th</sup> Board meeting.

**Question:** Was there a justification in the Report for determining there is a Health, Safety & Welfare Issue?

**Mr. Mattausch** stated the issue concerns down-stream cross-connections on dedicated fire service lines that are connected to a secondary source, such as reclaimed water for irrigation systems, which is a public health risk. He could not provide an exact number of cross-connections, and asserted “one” was a public health concern.

He confirmed the potential risk is contamination of public drinking water by illegally connected lines. The reduced pressure device will not allow water to flow back from the cross-connection into the public water supply system.

There was some confusion concerning statements made during DSAC’s April meeting.

**[Excerpt from the Minutes of the April 7, 2010 meeting:**

“A Committee member stated the revised Ordinance, presented at the March meeting by Paul Mattausch, Director of the County’s Water Department, did not make sense and the presentation was an after-the-fact informational review. It was noted the Committee’s questions were not satisfactorily answered.

It was pointed out Mr. Mattausch stated the revisions were required by The Florida Administrative Code. A member stated The Florida Administrative Code requires the use of one of five different retention methods for Public Utility systems. The cost to the Industry will be very expensive and the metering does not accomplish the County’s stated objectives.”]

**Question:** Is this a water contamination issue or a water pressure issue?

**Paul Mattausch** stated it is a potential drinking water contamination issue. A reduced pressure back flow assembly is being required on all services under the Ordinance.

**George Hermanson** explained an RPZ is a more fool-proof method of preventing back flow into a public system. It is not presently required on fire lines because the fire lines are not supposed to connect to anything else. The fire lines derive water from the public water supply system. If there is back pressure in the reverse direction, the RPZ will discharge the water into the atmosphere.

**Question:** Why is the Double Detector Check Assembly not sufficient when it has been in the past?

**Mr. Mattausch** stated under a prior Ordinance, the requirement for the DDCA was on services that had no down-stream connections. Reduced pressure devices were required on fire line services that had down-stream connections. The Double Check can fail because it doesn’t vent to the atmosphere.

Discussion ensued concerning the cost to Industry – the Executive Summary did not accurately reflect the “Fiscal Impact.” Other questions: Is this requirement beyond what is reasonable? Why are on-site storage and/or an air gap system not required? What does “significant renovations” entail?

It was pointed out the revisions to the Ordinance will apply to new systems and systems that undergo significant renovation.

A Committee member noted by not requiring retrofitting, the vast majority of the public will not be protected.

The process of finding cross-connections was outlined by Mr. Mattausch. If an illegal connection is found, it is disconnected, an RPZ is installed, a Citation is issued, and a fine is assessed. Approximately 34,000 connections (fire and domestic) are inspected on a yearly basis. The number of violations found was not specified.

**Mr. Mattausch** stated his responsibility is to create a public water drinking supply system that has as little risk as possible to the user.

Mr. Mattausch was asked to forward a copy of the log detailing the number of “Boil Water” notices issued over the past two years.

**Public Speakers:**

**Dave Raub, Fire Marshall - North Naples Fire Department**, stated the sense of “urgency” regarding the Health, Safety and Welfare Issue is irrelevant. He advised caution and stated facts should be obtained before any changes are made to the Ordinance.

**Melissa Ahern, CBIA**, supported establishing a Subcommittee and requested production of records concerning incidents of cross-contamination.

**Joey Hatfield, Imperial Fire**, stated additional discussion is needed before presenting the Ordinance to the Board of County Commissioners. The subject has not been vetted. He requested the Subcommittee include a representative from the Fire Sprinkler Industry, as well as a Civil Engineer.

**Chris Mitchell, Waldrop Engineering**, agreed the situation is not critical and tabling the issue for one or two months would not be detrimental especially since only new Permits are affected. He volunteered to serve on the Subcommittee.

**David Aldrich, CBIA**, stated the reason to implement the RPZs has changed – previously, it was loss of water. Use of the “air gap” is the true solution to Health, Safety and Welfare concerns. The obvious goal is to meter. The Report claims Industry has been unwilling to participate. The subject was not properly vetted in 2008 or 2009 as claimed – it was only after-the-fact. The concern is to be certain the right process is put in place. To put an RPZ in place without looking at other alternatives is not following the Commissioners’ directions. To rush this through is an example of bad government.

**Chairman Varian** (via conference call) stated he attended the June meeting of the BCC and the BCC’s concern was for the issue to be properly vetted through DSAC before it was returned. A date should be scheduled for the first Subcommittee meeting and the information that DSAC is beginning the vetting process should be relayed to the Board.

**Robert Mulhere moved:**

***“Contrary to the Board of County Commissioners’ expressed previous direction, the Development Services Advisory Committee has not had the opportunity to fully vet this issue given that our first receipt of the “Fire Meter Report” (dated July 6, 2010) was on July 21, 2010.***

***We would recommend the BCC defer this issue for a period of at least 180 days within which DSAC will convene a Subcommittee to vet these issues properly.***

***If the Board feels that there are legitimate Health, Safety and Welfare Issues that need to be addressed immediately, then we would recommend a second inspection for Fire Suppression be instituted prior to final C/O.”***

***Second by Regan Henry.***

*Suggestion from CBLA:* Schedule a second inspection if there are issues related to Health, Safety & Welfare.

***Mr. Mulhere amended his motion:***

***“If the Board feels there are legitimate Health, Safety and Welfare Issues to be addressed immediately, it is recommended that, for all new connections, a second inspection for Fire Suppression be conducted prior to a final C/O.”***

***Second by Mr. Henry.***

**Ed Riley** stated Fire would not be interested in conducting a second inspection.

*Suggestion:* The initial inspection should be conducted jointly.

***Bob Mulhere amended the motion to change the third sentence as follows:***

***“If the Board feels there are legitimate Health, Safety and Welfare Issues that need to be addressed immediately, it is recommended that a procedure be developed to allow the Utilities Staff to participate in the Fire Suppression Inspection process prior to the issuance of a Final Certificate of Occupancy.”***

***Second by Regan Henry.***

*Suggestion:* Change the time frame from 180 to 90 days.

There was further discussion concerning why the issue of Health, Safety & Welfare had not been a concern previously. Where was this concern in 2008 or 2009? The subject is future connections only.

***Final Motion:***

***“Contrary to the Board of County Commissioners’ expressed previous direction, the Development Services Advisory Committee has not had the opportunity to fully vet this issue given that our first receipt of the “Fire Meter Report” (dated July 6, 2010) was on July 21, 2010.***

***We would recommend the BCC defer this issue for a period of at least 90 days to permit DSAC to convene a Subcommittee to vet these issues properly.***

***If the Board feels there are legitimate Health, Safety and Welfare Issues that need to be addressed immediately, it is recommended that a procedure be developed to allow the Utilities Staff to participate in the Fire Suppression Inspection process prior to the issuance of a Final Certificate of Occupancy.”***

The vote was taken and the Motion carried unanimously, 12-0.

David Hurst will attend the BCC meeting to represent DSAC on Tuesday, July 27<sup>th</sup> and Vice Chairman Dunnivant will attend until 12:00 Noon.

**Vice Chairman Dunnivant** referred to a letter from Public Utilities concerning water consumption (over 5,000 gallons) and billing procedures. It was not clear how the metering concept will be billed – the costs to the Industry and the community versus the benefit received by the Utilities Department to protect the requirement to not “give away” water.

**Mr. Beals** stated representatives from Utility Billing will attend the Subcommittee to answer questions.

**Mr. Mattausch** stated any water that is used costs money and recovery of those costs was one of the reasons for pursuing meters.

*Suggestion:* Case studies should be presented at the Subcommittee meeting.

**Re: Subcommittee membership**

**Vice Chairman Dunnivant** noted Mr. Mitchell and Mr. Hatfield volunteered to serve. It was noted David Hurst, Ed Riley, Melissa Ahern, and Blair Foley also volunteered. Nick Biondo, East Naples Fire Department, was nominated. Members from the other Fire Districts were invited to attend.

Mr. Mattausch and Mr. Beals will represent Staff.

*Suggestion:* Email information and phone numbers are to be sent to Judy Puig with available dates for meetings. She will coordinate the date and location.

**VII. New Business:**

*(None)*

**VIII. Committee Member Comments:**

**A. Mileage Reimbursement for Members**

*(Copies of the Mileage Reimbursement Form and policy were distributed to the Committee.)*

If a member drives in excess of 20 miles (round trip) to attend DSAC’s meetings, the excess mileage is eligible to be reimbursed. Members are to complete the form and return it to Judy Puig as soon as possible.

**Next Meeting Dates:**

**August 4, 2010 – 3:00 PM**

**September 1, 2010 – 3:00 PM**

**October 6, 2010 – 3:00 PM**

**November 3, 2010 – 3:00 PM**

**December 1, 2010 – 3:00 PM**

**There being no further business for the good of the County, the meeting was adjourned by order of the Vice Chairman at 4:56 PM.**



July 21, 2010

**DEVELOPMENT SERVICES  
ADVISORY COMMITTEE**



David Dunnavant, Vice Chairman

The Minutes were approved by the Board/Committee on 8/4/10,  
as presented ~~X~~, or as amended \_\_\_\_\_.