

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

Naples, Florida, October 7, 2015

LET IT BE REMEMBERED, the Collier County Development Services Advisory Committee in and for the County of Collier, having conducted business herein, met on this date at 3:00 P.M. in REGULAR SESSION at the Collier County Growth Management Department Building, Conference Room #609/610, 2800 N. Horseshoe Drive, Naples, Florida, with the following members present:

Chairman: William J. Varian
Vice Chairman: Blair Foley
David Dunnavant
James E. Boughton
Clay Brooker
Dalas Disney
Chris Mitchell
Robert Mulhere
Mario Valle (Excused)
Stan Chrzanowski
Norman Gentry
Marco Espinar (Excused)
Ron Waldrop
Laura Spurgeon DeJohn
Jeremy Sterk

ALSO PRESENT: David Wilkison, Department Head
Jamie French, Deputy Administrator
Judy Puig, Operations Analyst, Staff Liaison
Nathan Beals, Project Manager, Public Utilities
Danny Condomina, Code Enforcement
Jay Ahmad, Director, Transportation Engineering
Matt McLean, Manager, Development Review
Rich Long, Plans Review and Inspections Manager
Claudine Auclair, Manager, Business Center
Ken Kovensky, Director, Operations and Regulatory Management
Stephanie Amann, Manager, Financial & Operational Support
Amy Patterson, Capital Project Planning, Impact Fees and Program Management

Mike Ossorio, Licensing Compliance Supervisor
Jeremy Franz, Senior Planner
Jack McKenna, County Engineer
Jonathon Walsh, Building Official

Any persons in need of the verbatim record of the meeting may request a copy of the audio recording room the Collier County Growth Management Department – Contact Mr. Evy Ybaceta at 239-252-2400.

I. Call to Order - Chairman

Chairman Varian called the meeting to order at 3:00pm

II. Approval of Agenda

Mr. Mulhere moved to approve the Agenda subject to hearing item VI.D before V.C. Second by Mr. Disney. Carried unanimously 8 - 0.

Mr. Dunnivant, Mr. Gentry and Mr. Boughton arrived at 3:03pm

III. Approval of Minutes from September 2, 2015 Meeting

Mr. Chrzanowski moved to approve the minutes of the September 2, 2015 meeting as presented. Second by Mr. Foley. Carried unanimously 11 - 0.

IV. Introduction [David Wilkison, GMD Department Head]

Mr. Wilkinson, new GMD Department Head introduced himself to the Committee.

Ms. Spurgeon DeJohn arrived at 3:05pm

V. Public Speakers

None

VI. DSAC Position Vacancy update & vote

- **Marco Espinar - renewing**
- **Blair Foley – renewing**
- **Norman Gentry – renewing**
- **Mario Valle – renewing**
- **Laura DeJohn – renewing**
- **Ron Waldrop - renewing**
- **Ryan White - new**

Staff reported there are 6 Members terms expiring in December and the above identified individuals have applied to be appointed or re-appointed to the Development Services Advisory Committee.

Mr. Dunnivant moved to recommend the Board of County Commissioners appoint Marco Espinar to the Development Services Advisory Committee. Second by Mr. Mulhere. Carried unanimously 12 – 0.

Mr. Chrzanowski moved to recommend the Board of County Commissioners appoint Blair Foley to the Development Services Advisory Committee. Second by Mr. Boughton. Carried unanimously 11 – 0. Mr. Foley abstained.

Mr. Chrzanowski moved to recommend the Board of County Commissioners appoint Norman Gentry to the Development Services Advisory Committee. Second by Mr. Brooker. Carried unanimously 11 – 0. Mr. Gentry abstained.

Mr. Mulhere moved to recommend the Board of County Commissioners appoint Mario Valle to the Development Services Advisory Committee. Second by Mr. Disney. Carried unanimously 12 – 0.

Mr. Foley moved to recommend the Board of County Commissioners appoint Laura Spurgeon DeJohn to the Development Services Advisory Committee. Second by Mr. Mulhere. Carried unanimously 11 – 0. Ms. Spurgeon DeJohn abstained.

Mr. Foley moved to recommend the Board of County Commissioners appoint Ron Waldrop to the Development Services Advisory Committee. Second by Mr. Gentry. Carried unanimously 11 – 0. Mr. Waldrop abstained.

VII. Staff Announcements/Updates

A. Code Enforcement Division update – [Danny Condamina]

Mr. Condamina provided the report “*Collier County Code Enforcement Department Blight Prevention Program - Cumulative Code Enforcement statistics - 7/2009 – 9/27/15*” for information purposes. The Division continues to work on public outreach initiatives to reduce the potential for code violations.

B. Public Utilities Division update – [Tom Chmelik or designee]

Nathan Beals reported will address the Committee under item VIII.A.

C. Growth Management Department/Transportation Engineering and/or Planning – [Jay Ahmad or designee]

Mr. Ahmad reported:

- US41/Collier Blvd. Intersection – work ongoing and to be completed by November 1, 2015.
- Golden Gate Parkway, East of Wilson Blvd. – clear and grub underway with construction to begin early in 2016.
- Collier Blvd, Green Blvd. to Golden Gate Parkway – Construction for widening of roadway on schedule.
- Chokoloskee Bridge reconstruction – “bid opening” anticipated for October 26, 2015.

D. County Fire Review update – [Shar Hingson and/or Shawn Hanson]

Ms. Hingson reported:

- There is a high demand for construction inspection and Staff is undertaking measures to address the activity.
- Lee and Collier County held a joint Arson Task Force Workshop.
- There was structural fire training on a building donated by the Naples Botanical Garden.

- There will be an Open House at the Horseshoe Drive facility on October 20, 2015 from 2:00pm – 4:00pm.
- As of January 1, 2015, the owner of buildings 3 stories or higher is required to engage a 3rd party private vendor to complete the fire stop inspections.

E. North Naples Fire Review update – [Eloy Ricardo]

Mr. Ricardo reported Staff continues to review internal policies to determine any changes that may be made to stream line the permit/inspection process.

Mr. Mitchell arrived at 3:20pm

F. Operations & Regulatory Mgmt. Division update [Ken Kovensky]

Mr. Kovensky submitted the “*Collier County September 2015 Monthly Statistics*” which outlined the building plan and land development review activities. The following was noted during his report:

- Stephanie Amann is the new Finance and Operations Manager.
- Permit applications and the related building inspections continue to trend at an all time high with each inspector typically conducting 20 -25 inspections daily.
- The NOVA contract for outside services (as needed) is expiring early next year and will be going out to bid in November. Staff anticipates an increase in rates for the services requested.
- The BCC approved the addition of two multi trade inspectors and Staff is undertaking the measures to fill the positions.
- Upgrades to the CityView portal have been completed including expanded notifications for inspection scheduling by phone or email.
- Staff is reviewing the CityView website to determine any changes which may be made to ensure it is user friendly (log in process, contact info, etc.).

G. Development Review Division update [Matt McLean]

Mr. McLean reported Staff is replacing two vacated positions (Landscape Review and Architectural Review). They continue the Program to partner with the industry through meetings to determine any issues that may be addressed to streamline the processes.

VI. New Business

A. Refresher on Disclosures [Matt McLean]

Mr. McLean reminded Committee Members they are required to abstain from items, including Land Development Code amendments if they have a direct conflict in the matter.

B. Parks & Recreation Impact Fee Study [Amy Patterson]

Ms. Patterson presented the “*Parks and Recreation Impact Fee Study*” which outlined proposed Impact Fee Rates and the backup document “*Collier County “Parks and Recreation Impact Fee Update Study Final Report”*” prepared by Tindale Oliver and Associates dated September 25, 2015. She reported Mr. Valle could not be present, but submitted 4 comments for consideration to be discussed at the meeting as follows:

1. The proposal was developed absent of an updated Parks and Recreation Master Plan.
Committee

Concern the Plan is outdated and there is no clear indication of how the increase in proposed fees is to be spent.

Staff

- The Master Plan was adopted in 2011 and the proposed rates are linked to the most recent Annual Update Inventory Report.
- Some of the funds will be used to pay prior debt service obligations and Big Corkscrew Regional Park is the next park in line to be constructed.
- The Master Plan will be updated and the debt service payments are mainly for the costs incurred for North Collier Regional Park.
- Parks by nature are not self sustaining from the revenues they generate and require funding sources outside the user fees to operate.

2. No correlation in the proposed rates with the level of service proposed.

Committee

- Concern the County adopted a Level of Service that does not account for lands held by the Federal and Local Government (Everglades National Park, Beaches, etc.). These lands are available for use by the public that should be utilized in the analysis.
- Local schools have expanses of land available for public use but remain unopened to the public which may contribute to the Level of Service as well.
- Including these lands in the analysis may assist in reducing the burden on the County for provision of recreational opportunities.
- The County should consider developing a “de facto” Level of Service for information purposes that includes all lands available for public use.
- Concern the equity of the system as impact fees are assessed against a select group of the County population, while the benefits are derived by all residents.
- Concern on the basis used for the land cost estimate does it include the amount of lands in the existing inventory available for expanded services.

Staff

The Level of Service as adopted by the Board of County Commissioners is embedded in the proposed Impact Fees and the Parks and Recreation Division does have interlocal agreements with the School District for public use of the properties, mainly Elementary schools.

3. The expenditure of the fees should be linked to the geographic area the fees were generated.

Committee

The funds should be expended in the geographic area they are being generated to directly benefit those paying.

Staff

- Historically, the County balances the needs throughout the County when expending the funds.
- The fees generated in the Estates area did help fund North Collier Regional Park.
- The Big Corkscrew Regional Park is the next park in line to be constructed which will be funded from monies received throughout the County.

- Regional parks do draw users from the entire County and benefit all residents given the large variation of activities available at the sites.
 - The construction of Manatee Park and Vanderbilt Beach Little League facility are on the horizon.
 - Eagle Lakes Park now has a community center with an Aqua Center planned for the facility.
4. Concern Impact fees were deferred during the downturn and the reinstatement to previous levels should offset the need for a percentage increase.

DSAC Subcommittee Members reported they reviewed the item, however the emphasis was on fact finding with no recommendation forwarded to the full Committee for consideration.

Staff noted the item will be heard by the BCC and queried if the Committee wants to make a recommendation on the item.

Mr. Mulhere moved to recommend the Board of County Commissioners adopt the “Parks and Recreation Impact Fee Update” subject to consideration being given to reducing the Level of Service based on other considerations such as the availability of private and public lands in the County for recreation and those facilities located at County School lands. Second by Mr. Brooker.

Discussion occurred noting the Board of County Commissioners cannot alter the Level of Service unless there is a legal impediment. Parties previously paid impact fees based on an adopted Level of Service and would anticipate the funds will be expended to meet those needs.

Barry Williams, Director, Parks and Recreation suggested the motion be formulated to recommend the analysis on potentially reducing the adopted Levels of Service be undertaken during the next AUIR review.

Mr. Mulhere amended the motion to recommending the Board of County Commissioners adopt the “Parks and Recreation Impact Fee Update” subject to consideration being given to reducing the Level of Service based on other considerations such as the availability of private and public lands in the County for recreation and those facilities located at County School lands. Said analysis for a reduction being undertaken during the next AUIR update. Second by Mr. Brooker. Motion carried 8 “yes” – 5 “no.” Mr. Disney, Mr. Foley, Mr. Gentry, Mr. Chrzanowski and Mr. Dunnivant voted “no.”

D. Updates, forms and policy [Jonathan Walsh] (this item was heard before item C)

Mr. Walsh reported he is developing “Bulletins” to assist in educating the public on the requirements for specific activities. He submitted the following Drafts (*Florida Building Code 5th Edition (2014) - Bulletin #4 Solar Permits; Florida Building Code 5th Edition (2014) - Bulletin #5: Change in Design Professional; Florida Building Code 5th Edition (2014) - Bulletin #6: Threshold Projects; Florida Building Code 5th Edition (2014) – Temporary Certificate of Occupancy Requirements; Permit by Affidavit and Certificate of Completion by Affidavit*) which he is working on and updated the Committee on the rationale for the endeavor.

He is also updating the County's "FAQ for Building Review" and Members with suggestions for items to be included should contact Staff.

Sub Affirmation Forms

Mr. Walsh reported Staff is reviewing the process to determine any changes required for the forms as copies and faxes are accepted, however they are receiving a high volume of forms that appear to be "robo notarized."

Notice of Commencement

Mr. Walsh noted the forms may be filed at with the Growth Management Department and the County Clerks Office. They are reviewing the process to ensure all details are properly addressed when the forms are submitted, especially given the County Clerk's Office do not typically deal with these forms and may not be aware of the specific requirements to be included in a valid notice.

C. Notice of Commencement & Permit Applications [Claudine Auclair]

Ms. Auclair reported the item was addressed under item VI.C.

E. Architectural and Site Design Standards [Jeremy Frantz]

Mr. Frantz addressed the Council noting the Architectural and Site Design Standards Committee was appointed by the Board of County Commissioners to review and recommend changes to Section 5.05.08 of the Land Development Code. The Committee met over the period of two years and their review was completed in September of 2015. He requested the proposed amendment be remanded to the Land Development Code Subcommittee for their review and recommendation.

The Committee determined Mr. Foley, Mr. Disney and Mr. Mulhere should sit on the Subcommittee for this item.

VIII. Old Business

A. Update on subcommittee for Preliminary Utilities acceptance process [Jack McKenna]

Mr. McKenna and Mr. Beals provided an update on the Subcommittee noting they held their initial meeting and identified topics to be addressed in the process. The County Attorney's Office will be involved given many of items have legal ramifications given the County is accepting infrastructure from private parties.

IX. Committee Member Comments

None

X. Adjourn

Next Meeting Dates

November 4, 2015 GMD Conference Room 610 – 3:00 pm

December 2, 2015 GMD Conference Room 610 – 3:00 pm


January 6, 2016 GMD Conference Room 610 – 3:00 pm

February 3, 2016 GMD Conference Room 610 – 3:00 pm

October 7, 2015

There being no further business for the good of the County, the meeting was adjourned by the order of the Chair at 5:07PM.

**COLLIER COUNTY DEVELOPMENT SERVICES
ADVISORY COMMITTEE**



Chairman, William Varian

These Minutes were approved by the Board/Chairman on 11/4/15, as presented X, or as amended _____.

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, BLAIR FOLEY, hereby disclose that on 10/7/15, 20 :

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

RE APPOINTMENT VOTE

10/9/15
Date Filed

Blair Foley
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

APPOINTED OFFICERS (continued)

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Laura DeJohn, hereby disclose that on Oct. 7, 20 15:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Vote to recommend me for re-appointment to DSAC

10-20-15
Date Filed

Laura DeJohn
Signature

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APPOINTED OFFICERS (continued)

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IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, NORMAN GENTRY, hereby disclose that on OCTOBER 7, 20 15.

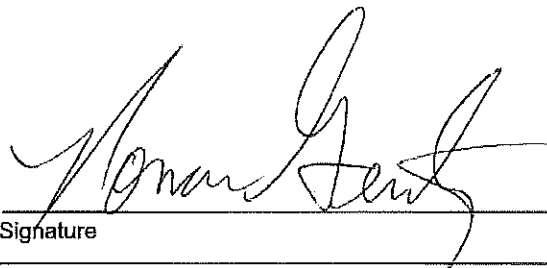
(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

OCTOBER 9 2015

Date Filed



Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Waldrop Ronald Dale	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Development Services Advisory Committee
MAILING ADDRESS 2107 Isla De Palma Circle	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY Naples Collier	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED 10/7/15	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Ronald Waldron, hereby disclose that on October 7th, 20 15:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I applied to DSAC to renew my term on the committee.

10/12/15
Date Filed

Ronald Waldron
Signature

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