

MINUTES OF THE COLLIER COUNTY
DEVELOPMENT SERVICES ADVISORY COMMITTEE MEETING

Naples, Florida, October 6, 2021

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
Chris Mitchell
Robert Mulhere (Excused)
Mario Valle
Norman Gentry
Marco Espinar
Laura Spurgeon-DeJohn
Jeremy Sterk (Excused)
Jeff Curl
John English
Mark McLean

ALSO PRESENT: Patricia Mill, Operations Analyst/Staff Liaison
Jamie French, Deputy Department Head
Eric Fey, Sr. Project Manager, Public Utilities
Jeff Letourneau, Code Enforcement Division
Ken Kovensky, Director, Operations and Regulatory Management
Lorraine Lantz, Transportation Planning
Mike Bosi, Planning Director
Matt McLean, Director, Capital Project Planning, Impact Fees &
Program Management
Jonathon Walsh, Building Official
Tim Crotts, License Compliance Supervisor

Any persons in need of the verbatim record of the meeting may request a copy of the audio recording from the Collier County Growth Management Department.

1. Call to Order - Chairman

Chairman Varian called the meeting to order at 3:00 p.m. A quorum consisting of 12 Members was convened.

2. Approval of Agenda

Mr. Foley moved to approve the Agenda subject to adding Item 6.a.vi - Impact Fees. Second by **Mr. Curl**. Carried unanimously 12 - 0.

3. Approval of Minutes

a. DSAC Meeting – September 1, 2021

Mr. Espinar moved to approve the minutes of the September 1, 2021 meeting as presented. Second by **Mr. Foley**. Carried unanimously 12 - 0.

4. Public Speakers

None

5. Staff Announcements/Updates

a. Code Enforcement Division update – [Mike Ossorio]

Mr. Letourneau provided the report “Code Enforcement Division Monthly Report August 22, – September 21, 2021 Highlights” for information purposes.

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

Mr. Fey submitted the monthly report on response time for “Letters of Availability, Utility Deviations and FDEP Permits” for information purposes.

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

Ms. Lantz provided an update on transportation projects.

d. County Fire Review update – [Shar Beddow and/or Shawn Hanson]

None

Clay Brooker joined at 3:32 p.m.

e. North Naples Fire Review update – [Capt. Sean Lintz or Daniel Zunzunegui]

Mr. Zunzunegui provided the update.

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

Mr. Kovensky submitted the “Collier County September, 2021 Monthly Statistics” which outlined the building plan and land development review activities.

g. Development Review Division update [Jamie Cook or Mike Bosi]

Ms. Cook provided the update.

- h. Zoning Division Update [Anita Jenkins or Designee]**
Mr. Bosi provided the update.

6. New Business

a. Staff update on House/Senate Bills

i. House Bill 667 – Building Inspections [Jonathan Walsh]

- The bill authorizes any government entity with the authority to enforce the Building Code to perform virtual building inspections, except for certain structural inspections.
- It defines “virtual inspection” as an inspection using a visual or electronic aid to allow a building official or inspector to perform an inspection without being physically present at the job site.
- It also requires local building code enforcement agencies to allow requests for inspections to be submitted electronically via e-mail, electronic form, or mobile application.
- Finally, the bill requires a building code enforcement agency to refund 10 percent of the permit and inspection fees if:
 - The inspector or building official determines the work, which requires the permit, fails an inspection; and
 - The inspector or building official fails to provide a reason that is based on compliance with the Building Code, the Florida Fire Prevention Code, or local ordinance, indicating why the work failed the inspection within 5 business days.

ii. House Bill 1059 – Development/Building Permits [Jonathan Walsh]

The Bill makes various changes to the ways in which local enforcement agencies receive and process building permit applications. The Bill requires local enforcement agencies to:

- Allow building permit applications, including payments, attachments, drawings, and other documents, to be submitted electronically.
- Post the status of every building permit application received on its website.
- Post the agency’s procedures for reviewing, processing, and approving building permit applications on its website.
- Review additional information for an application for a development permit or development order within a certain time-period.
- Allow building permit applicants 10 business days to correct an application for a single-family residential dwelling initially denied by the local enforcement agency.
- Reduce permit fees by specified amounts after failing to meet statutory deadlines for reviewing certain building permit applications.
- Prohibits government entities, which enforce the Building Code, from requiring a copy of a contractor’s contract with owners, subcontractors, or suppliers to obtain a building permit for projects on commercial property.

iii. House Bill 401 – Private Building Inspectors [Jonathan Walsh]

The Bill:

- Allows a substantially affected person to petition the Commission for a non-binding advisory opinion on whether a local government regulation is an improper amendment to the Building Code and establishes a process for such petitions.
- Allows the Commission to issue an “errata to the code” to list demonstrated errors in provisions contained within the Building Code.

- Requires the Commission to adopt rules for approving product evaluation entities in addition to the ones already listed and approved in current law.
- Clarifies the Commission may suspend product evaluation entities.
- Clarifies local government entities may use private providers for their own construction projects.
- Provides for a local government to use excess funds generated by Building Code enforcement for the construction of a building or structure that houses the local government's building department or provides training programs for building officials, inspectors, or plans examiners.
- Provides excess funds used to construct such a building or structure must be designated for such purpose by the local government and may not be carried forward for more than four years.
- Prohibits a local government from requiring a contract between a builder and an owner as a condition to apply for or obtain a building permit.

iv. House Bill 735 – Preemption of Local Occupational Licensing [Tim Crotts]

The bill:

- Expressly preempts the licensing of occupations to the state and supersedes any local government licensing of occupations, except for local government licensing of occupations authorized by general law or occupational licenses imposed by a local government before January 1, 2021.
- The exception for licensing imposed by a local government expires July 1, 2023. Local government occupational licensing requirements in place by January 1, 2021 may not be increased or modified thereafter.
- Specifically prohibits local governments from requiring a license for a person whose job scope does not substantially correspond to that of a contractor or journeyman type licensed by the Construction Industry Licensing Board, within the Department of Business and Professional Regulation.
- Precludes local governments from requiring a license for: painting, flooring, cabinetry, interior remodeling, driveway or tennis court installation, handyman services, decorative stone, tile, marble, granite, or terrazzo installation, plastering, stuccoing, caulking, and canvas awning and ornamental iron installation.
- Authorizes counties and municipalities to issue journeyman licenses in the plumbing, pipe fitting, mechanical, and HVAC trades, as well as the electrical and alarm system trades, which is the current practice by counties and municipalities.
- As a result, a local journeyman licensing is excepted from the preemption of local licensing to the state under the bill.

v. Senate Bill 60 – County and Municipal Code Enforcement and an update on short term rentals [Mike Ossorio]

None

vi. House Bill 337 - Impact Fees [Matt McLean]

The Bill:

- Requires local governments & special districts to credit against collection of impact fees any contribution related to public facilities or infrastructure.
- Provides conditions under which credits may not be applied.

- Provides limitations on impact fee increases.
- Provides retroactive operation.
- Requires specified entities to submit affidavit attesting that impact fees were appropriately collected and expended.
- Provides retroactive application; requires school districts to report specified information regarding impact fees.

7. Old Business

Mr. French reported staffing issues continue to be addressed including a payroll study to facilitate any decisions which will be made on employment. He requested DSAC Members appear at the Board of County Commissioners to support the items are brought forth by Staff to address the issue.

8. Committee Member Comments

Chairman Varian requested Staff provide an update on the DSAC Member terms which may be expiring over the coming months.

9. Adjourn

Next Meeting Dates

November 3, 2021 – 3:00 p.m.

December 1, 2021 – 3:00 p.m.

January 5, 2022 – 3:00 p.m.

There being no further business for the good of the County, the meeting was adjourned by the order of the Chair at 4:12 P.M.

**COLLIER COUNTY DEVELOPMENT SERVICES
ADVISORY COMMITTEE**



Chairman, William Varian

These Minutes were approved by the Board/Chairman on 11/3/21, as presented , or as amended _____.