

TRANSCRIPT OF THE MEETING OF THE
COLLIER COUNTY PLANNING COMMISSION
Naples, Florida
October 21, 2021

LET IT BE REMEMBERED, that the Collier County Planning Commission, in and for the County of Collier, having conducted business herein, met on this date at 9:00 a.m., in REGULAR SESSION in Building "F" of the Government Complex, East Naples, Florida, with the following members present:

Edwin Fryer, Chairman
Karen Homiak, Vice Chair
Karl Fry
Paul Shea
Robert L. Klucik, Jr.
Joe Schmitt
Christopher T. Vernon
Tom Eastman, Collier County School Board Representative

ALSO PRESENT:

Raymond V. Bellows, Zoning Manager
Mike Bosi, Planning and Zoning Director
Jeffrey Klatzkow, County Attorney

PROCEEDINGS

CHAIRMAN FRYFER: Good morning, everyone. The October 21, 2021 meeting of the Collier County Planning Commission will please come to order.

Everyone, please rise for the Pledge of Allegiance.

(Whereupon the Pledge of Allegiance was recited.)

CHAIRMAN FRYER: Will the secretary please call the roll.

COMMISSIONER FRY: Thank you, Mr. Chairman.

Mr. Eastman.

MR. EASTMAN: Here.

COMMISSIONER FRY: Mr. Shea.

COMMISSIONER SHEA: Here.

COMMISSIONER FRY: I'm here.

Vice-chair Homiak.

COMMISSIONER HOMIAK: Here.

COMMISSIONER FRY: Mr. Schmitt.

COMMISSIONER SCHMITT: Here.

COMMISSIONER FRY: Mr. Vernon.

COMMISSIONER VERNON: Here.

COMMISSIONER FRY: Mr. Klucik.

COMMISSIONER KLUCIK: Present.

COMMISSIONER FRY: Mr. Chairman, I have a forum of seven.

CHAIRMAN FRYER: Thank you, Mr. Secretary.

Addenda to the agenda, Mr. Bellows.

MR. BELLOWS: Yes. We do have a change to the agenda we'd like to add under old business, an item to talk about the November 18th Planning Commission start time at 2:00 p.m. and the night meeting that follows it.

CHAIRMAN FRYER: Okay.

MR. BELLOWS: And that will be under old business.

CHAIRMAN FRYER: Old business. Okay. We'll put that in as 10A, I guess.

I also have a proposed addendum to the agenda. I received an e-mail on behalf of The League of Women Voters of Collier County and, also, Florida Gulf Coast University requesting additional time for a presentation and early positioning on our agenda of November 19th. Not today, but November 19th. And I'd like to add discussion and decision on that request as an item under new business. And let's call it 11C, if that be without objection.

Seeing none, that's what we'll do.

Planning Commission absences. Our next meeting is November 4th.

Anyone know if he or she won't be able to attend that meeting? All right.

COMMISSIONER SHEA: Can I ask a question?

CHAIRMAN FRYER: Please. Go right ahead, commissioner.

COMMISSIONER SHEA: You said November 19th?

CHAIRMAN FRYER: If I said 19th, I meant 18th. Thank you.

So we will have a full house then again on that time. That's good.

November 18th, we'll start at 5:05 p.m. and our old business --

MR. BOSI: During the discussion items under 10A, we will discuss the start time is going to be suggested at 2:00 p.m., because we have some items that will be heard before the 5:05 meeting.

CHAIRMAN FRYER: I know, but I said evening meeting.

MR. BOSI: Oh, no problem.

COMMISSIONER VERNON: Mr. Chairman, I think I said this during the last meeting, but I won't be able to make the November 18th meeting. I think you decided you still had a quorum.

COMMISSIONER SCHMITT: I have to travel as well, so I will not be here. I think I sent a note on that already. I won't be available.

CHAIRMAN FRYER: Thank you. We're going to have a bifurcated meeting. The evening meeting portion of the meeting, for those who will be able to attend, will start at 5:05 p.m. We do not have a full day's worth to precede that, so when we come to old business, we'll talk about how best to do the arithmetic so that we're not standing around or waiting around for a long time until the 5:05 p.m. Maybe we have an opportunity to get an early dinner or something without having to do a lot of driving either. So that's what we'll do.

Approval of minutes. We have one set before us for action. That's the minutes of September 16, 2021. Any corrections changes or additions? If not, I'd entertain a motion to approve.

COMMISSIONER HOMIAK: Motion to approve.

CHAIRMAN FRYER: Is there a second?

COMMISSIONER SCHMITT: Second.

CHAIRMAN FRYER: Further discussion? If not, all those in favor, please say aye.

COMMISSIONER SHEA: Aye.

COMMISSIONER VERNON: Aye.

COMMISSIONER FRY: Aye.

CHAIRMAN FRYER: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER SCHMITT: Aye.

COMMISSIONER KLUCIK: Aye.

CHAIRMAN FRYER: Opposed?

(No response.)

CHAIRMAN FRYER: Passed unanimously. Thank you.

BCC report recaps, Mr. Bellows.

MR. BELLOWS: On October 12th, the board on the summary agenda approved the GMPA for the world French mixed use district and Mike will tell you about the --

MR. BOSI: And the board also overturned the staff approval of an SDP for a food truck within a commercial three zoning district within the Isle of Capri, as well as overturned an official interpretation from the zoning director that a food truck park was a permitted use in the C3 zoning district, provided further direction to staff to initiate an LDC amendment that would make food truck parks a conditional use within the commercial zoning districts that allow eating places, and is basically, you know, related to the potential disruption food truck parks could have on the surrounding residential properties based upon noise and traffic and other issues such as that.

CHAIRMAN FRYER: Thank you. I happen to have watched that on TV and found it quite instructional as to the interplay between the HEX and staff and the board. I came away from that meeting more educated on those issues, so if anybody has the time, I would recommend watching that meeting of the Board of County Commissioners. It's a learning experience.

COMMISSIONER KLUCIK: Mr. Chairman.

CHAIRMAN FRYER: Yes, sir.

COMMISSIONER KLUCIK: If I could get technical assistance with -- for some reason I don't have the internet again.

CHAIRMAN FRYER: Thank you. Commissioner Schmitt, you also --

COMMISSIONER SCHMITT: Without getting into details, many years ago we had a food truck issue at Estey and Airport, another food truck issue, and somehow, at that time, a food truck was not considered commercial. I don't know if -- it goes back probably ten, 15 years when they first put that up with what was supposed to be portable or moveable, but ended up being permanent and I remember that went back and forth with the board, and it was determined at that time that -- it's still there, but I can't recall if it was a conditional use. I just was puzzled by the fact, many years ago that ruling, and then all of the sudden now we deemed it within the use of a commercial use. But the board overturned your decision and it's coming back as an LDC amendment and that is being now proffered by staff?

Would you expect, would that come or is now the petitioner going to have to request a rezoning because of -- the LDC amendment could take another six months, could it not, or longer.

MR. BOSI: Mike Bosi, planning and zoning director. The Estey and Airport, that was a conditional use. You're correct.

The staff made their basis off of a 2016 HEX determination that determined food truck parks were a permitted use in the Bayshore neighborhood commercial C4 zoning district --

COMMISSIONER SCHMITT: I remember that, because it was an overlay.

MR. BOSI: Right. And they directed us, as I said we're in the process of developing that LDC amendment, but we're also developing an LDC amendment that's going to change how the comparable use determinations are provided for when you have a straight zoning district, we ever going to make them conditional uses as well. The board was concerned that if you had a location that was zoned C2 and you had a comparable use determination in that C2 zoning district, if it was deemed a permitted use, that permitted use is allowed for all C2 zoning districts throughout the county, and they felt that notification of adjoining property owners were lacking within that process; therefore, we're going to require a comparable use determination to also follow the conditional use process so it would only being site specific for that parcel requesting that comparable use determination and, therefore, allowing the adjoining property owners to have more of a standing or a say within the process.

COMMISSIONER SCHMITT: Okay. So in this case, is the petitioner now going to wait for staff to --

MR. BOSI: I'm not sure what the petitioner is going to do. They do not have an approved SDP.

COMMISSIONER SCHMITT: Correct.

MR. BOSI: They could wait for staff to initiate it or they could take an action and seek a conditional use at the location, but we haven't heard any indications.

COMMISSIONER SCHMITT: Yeah. They can turn around and submit their own application.

MR. BOSI: Yes.

COMMISSIONER SCHMITT: What about the food truck on 41, the strip mall across from the park.

MR. BOSI: At the Hitching Post.

COMMISSIONER SCHMITT: Yes.

MR. BOSI: That was approved in 2019. That was approved based upon the staff's classification that they were permitted uses. That was not challenged; therefore, that remains legal nonconforming use.

COMMISSIONER SCHMITT: Just for the rest of the planning commissioners, it does open a door for proliferation of these food trucks and, essentially, they become permanent.

MR. BOSI: Correct.

COMMISSIONER SCHMITT: They really are not mobile food trucks; they are, for lack of a better term, a permanent truck stop or whatever you want to call it, and I think that -- the board -- I thank the board, at least for providing the guidance to the staff in order to clear that up, because it will become an issue and then I guess this now will help clarify the process, and the LDCE amendment will make it very clear of what needs to be done.

MR. BOSI: Yes. The most important part the board wants is the participation of the adjoining property owners for their building to have their say within the issue, and everyone involved in, I think, feels that that's an appropriate move, and we're acting underneath the guidance of the board.

COMMISSIONER SCHMITT: One of the adjoining property owners of this certain case is now coming in with another proposal, you said?

MR. BOSI: Yes, but that's a separate issue.

COMMISSIONER SCHMITT: Okay.

MR. BOSI: Yes.

CHAIRMAN FRYER: Thank you. Chairman's report, none today.

Consent agenda, we have nothing before us on consent, so we'll go right into public hearings, advertised.

The first public hearing is matter PL120210001270 and that was the 2021 combination Annual Update and Inventory Report or commonly known as the AUIR and the Capital Improvement Element of the

Collier County Growth Management Plan known as the CIE.

We, as Collier County's official local planning agency, are required annually to review and make recommendations to the BCC with respect to these documents and so by virtue of that law, that is what we're doing and what we will be about this morning.

This is a combined hearing and since it's legislative in nature, there will be no need to swear in witnesses or to make disclosures, so staff, you have the floor. Mr. Bosi.

MR. BOSI: Thank you.

CHAIRMAN FRYER: Excuse me. Commissioner Schmitt, your light is still on.

COMMISSIONER SCHMITT: Yeah. Mike, just before you start, how many counties are actually complying with this state-mandated process?

MR. BOSI: Well --

COMMISSIONER SCHMITT: As I understand --

MR. BOSI: Thank you, Joe. That was one of the things I was going to -- I have spoken a little bit to COMMISSIONER FRY about it. I was going to talk about the AUIR is a unique process within the State of Florida in the sense that Collier County is the only county that does its AUIR. We're going to get into the general public to explain what an AUIR is, but we are the only county, the only jurisdiction that provides the transparency of our capital improvement program in association with our population growth that I am aware of. In 2009 we had provided the Planning Commission a comparison, a level of service comparison and we did in deep -- the eye of research, and we found that we are -- and now that concurrency has been made optional by the state and by the Department of Economic Opportunity, we are still one of the only -- or the only county that provides such a level of detailed effort to allow for public participation within the capital improvement programming.

COMMISSIONER SCHMITT: At one time it was statutorily required, and it may still be, but I don't believe there's -- like you said, any other county that complies.

MR. BOSI: Well, it was never statutorily required for the Category B, the nonconcurrency. It was always statutorily required and it is still statutorily required for the Category A facilities, such as your public utilities, as well as storm water.

The other Category A facilities that we have included are optional and the Board of County Commissioners has maintained a compliment to those. And we'll get into that a little bit more, but yes, this is a unique process that this county undertakes that no other county within the State of Florida does.

And with that, I put together a real short eight-to-nine-slide presentation, real high overview of what the AUIR is, the Planning Commission. And the members who have been here for a while will have had many of these under their belts, but most people in the general public are listening on Collier TV would probably be a little bit confused, but what it is -- and if I can get the slide control to operate here.

MR. KLATZOW: Mr. Chairman, I just ask staff to confirm that the document I had on Monday is still -- hasn't been altered, the agenda?

MR. BOSI: It was amended at the beginning of this morning.

MR. KLATZOW: Oh, it was. Okay. So I have to download a different one. I just want to make sure I'm working off the right document.

MR. BOSI: Understood.

So what is the AUIR? The AUIR is the annual one year snapshot in time of projected needs and required capital improvements for the next five years based upon the projected population increases against the BCC adopted levels of service standard. And it should be noted that this snapshot changes as the demand equation evolves.

So what that means is as we add more population, we need to add the corresponding infrastructure to be able to handle the additional demands of that population. Essentially, making sure that our levels of service for any one of our infrastructure providers does not fall below the adopted level of service that's been endorsed by the Board of County Commissioners.

There is three categories that we have. Category A, there are concurrency facility, roads, drainage potable water, waste water, solid waste, parks and rec and schools and they're all tied to the Capital

Improvement Element. The Capital Improvement Element is an element of our Growth Management Plan. It's updated every year for the five-year capital programs that the county is proposing. Our Category B facilities, they're none concurrency facilities. Jails, law enforcements, libraries, emergency medical service and government buildings. These are not applied during concurrency, but every year we bring the AUIR to make sure that we are maintaining the levels of service associated with those facilities.

About five years ago we added a Category C, which is another nonconcurrency facility and that's the beach and inlets, and that's the schedule of beach re-nourishments and the activities that we have within our coastal area.

When I mentioned concurrency, it is a system that we've had in place and it's the facilities and services necessary to maintain the adopted level of service standards that are available when the impacts of development's occur, which are contained within CIE policies and the land development code.

So what that means is when you have a PUD request or a rezone request that comes to you, we'll do a courtesy evaluation of the available infrastructure. It's not a hard application of concurrency, but when a plat is submitted or a site development plan is submitted, that's when we go through the concurrency analysis. We make sure the roadway system has the volume to handle the capacity that's associated with it; that's there's capacity within all the utility systems to be able to handle the demands of that particular project; that there's park lands available for the associated, if it's a residential community that's coming in with a plat, that we have enough acreage to be able to handle the additional populations. So when they come in for the SDP or for the -- their plat, that's when concurrency is actually applied.

And it's driven by population. It's driven by our -- our CIE has as component that says we will utilize the BEBR medium population projections that are provided by the University of Florida Bureau and Economic Business Research, so when I say BEBR, that's what it's referring to, the University of Florida's population projection division.

And we also have the seasonal increase. As we all know, when January, February and March rolls around, our roads become a little bit more crowded; our beaches become a little bit more crowded. Its because we've seasonal influx, and within that seasonal influx, we've determined through analysis of increases within our volume within our traffic count systems, within our utility systems, that it averages out to about 20 percent and that's -- that's the markup. So it's a 20 percent seasonal markup. And please, if you have questions, any time.

CHAIRMAN FRYER: Commissioner Fry.

COMMISSIONER FRY: Mike, has that 20 percent figure changed over time. I think we've all heard more people are living here full time. More people moving down from up north. Has that risen over time?

MR. BOSI: It has stayed static for the entire 19 years that I've been involved with the -- with planning in the AUIR, and I think it's proportional. We are having -- we have a larger permanent population, but as our -- as our permanent population increases, our seasonal units increase as well, so what we have found by looking at our utility numbers, at the traffic counts, that that 20 percent is still the appropriate to deal with that seasonal influx.

COMMISSIONER FRY: I misspoke. I guess it would be the opposite. If there were more people here full time, then the seasonal increase would be less, right? But you're saying it has not really changed. I guess -- I feel like we've experienced higher traffic in the summertime than we used to have, because more people are here full time and then, of course, still a large increase during wintertime, but you're saying it really has stayed constant in terms of statistics.

MR. BOSI: It's stayed constant in terms of statistics, and why you feel that there's more people in the summertime compared to five or ten years ago is because there is. We have more population. That's a little quirk that we're going to get into as well related to the decennial census and the relationship to the BEBR numbers, but I'll get into that in one second.

CHAIRMAN FRYER: Commissioner Shea.

COMMISSIONER SHEA: I'm just wondering how you calculate that 20 percent, and monitor and

keep it updated. What's the criteria?

MR. BOSI: Good example would be, say, from the potable water usage. They'll look at the numbers on a monthly basis and they see that there is an increase of anywhere from 15 to 18 to 20 to 23 percent as you start to hit your January, your February, and your March numbers. Look at your traffic counts that are on the roads. Those are run on an annual basis, on a regular basis. So when you have an increase of 15 to 20 percent of additional trips on the road system, that's how we make the determination that there's an approximate 20 percent increase within our population during our seasonal months.

COMMISSIONER SHEA: So that adjustment is not just for people who have places here, it's for vacationers as well, it's just --

MR. BOSI: Yes. Yes. I mean, for the most part, the seasonal influx are vacationer, and they may be here for three to four months, but they're vacationers nonetheless. They're not considered permanent population.

So the question is how much do we build? The majority of our AUIR categories are tied strictly to population. The easiest and simplest would be an example within our library buildings. The new population we expect over the five-year period, we multiply that against our level of service standard, which in libraries happens to be .33 square feet per person. That's the adopted level of service that the Board of County Commissioners have adopted.

For this five-year period we're going to add 32,433 people. When you multiply that against your level of service, your .33 square feet and as a requirement to satisfy this five-year period, we need to add 10,703 square feet of additional library space.

Now, it doesn't always work out exactly, because a library sometimes doesn't always conform to that exact number, but that's how -- that's what drives the expansion. That's what drives the justification for the system expansion within libraries, or within EMS or within government buildings.

COMMISSIONER FRY: I would think you have an additional level of analysis, which is where the people are moving so that we can allocate the additional library capacity in those areas? I'm thinking you can't be general about this.

MR. BOSI: Absolutely not, but that's a separate issue. The numbers that we get from the University of BEBR are not distributed from a geographic standpoint. They are just a gross number. What we have for the geographic distribution is another planning tool that's been adopted by the board and it was adopted by the board in 2010 as part of the east of 951 study and that's the Collier interactive growth model. I think you've heard lots of references from a lot of GMP amendments when we try to compare market studies. The growth models utilize that to allocate where we expect those future growth populations to be located, and that is the tool that's more valuable to determine how we do our master planning for any one of our facilities as to where the next geographic area that will be the most efficient to serve the greatest new population, and that's -- so it works in combination with another planning tool that we have.

CHAIRMAN FRYER: Commissioner Shea, do you have one?

COMMISSIONER SHEA: Yes. The example you use with libraries, that's just an example of the calculation, right?

MR. BOSI: Correct.

COMMISSIONER SHEA: Because the question I would have, why would you add space when the foot traffic is dropping in the libraries? That's --

MR. BOSI: That's always been one of the questions, let's utilize door counts, and door counts sometimes are a little more difficult, but we do factor into -- and transportation and utilities has a little bit more sophisticated -- and we'll get to that in the next slide -- where they not only -- it's not just population, but it's usage numbers, and that was -- that's always been one of the questions the Planning Commission has struggled with. Why are we just using population numbers; let's use usage numbers. It's difficult on some of the Category B facilities in terms of the majority of counties will utilize population as their levels of service standard, but usage most certainly does play and factor in terms of how far we do go.

COMMISSIONER VERNON: Doesn't the .33 square foot per person, if it was done correctly, would contemplate usage.

MR. BOSI: The .33 square feet is a static adopted level of service. Now, usage of the library service is influenced by the board's decision to make the recommendation that .33 square feet is the appropriate standard, but for the capital improvement programming, that .33 square feet is a static number that we multiply against our expected population, because that's the level of service that's been adopted.

Now, the underlying factors of what led the Board of County Commissioners to adopt that .33 square feet, usage plays a role within it, but how we do our capital improvement programming is strictly, this is the number of the population we expect, here's the square footage we will need to satisfy to attain that level of service that's been adopted by the board.

CHAIRMAN FRYER: Commissioner Fry.

COMMISSIONER FRY: Paul's question is an excellent example of how people's patterns, behavior patterns will change what the level of service standard ought to be.

What is the process by which the -- and how often are those level of service standards changed?

MR. BOSI: The level of service standards could be changed on an annual basis. Traditionally, where the level of service changes start is when the master plan for each one of those facilities, because each one of infrastructure providers also have associated master plans. When those master plans are taken to the Board of County Commissioners, usage is one of the things that underlines those discussions and how those master plans are informed, and that influences the Board of County Commissioners and that's where they normally will be influenced to suggest changes to the levels of service.

And here's of the quirk that I was talking about. If you look on the top, that's a chart we always provide within our staff reports related to the AUIR, and it gives you the population projections. We reach back six years, so 2016.

One of the things that we look at on this chart, and it is at least comforting to me and comforting, I think, to a lot of our infrastructure providers, is you look at our growth percentage annualized, the last call. So let's say annually, what's the percentage of growth?

If you look at it, we've been -- and this is -- if we went back 15 years, you would find that we've been steady about right under two percent has been our annual growth rate almost to a T for the last 15 years. That's a pretty steady accumulation of population. We haven't had tremendous -- expected tremendous spikes within those periods.

But one of the points that I wanted to let you know related to the decennial census. The decennial census came in and said in 2020, the permanent population for Collier County is 375,752 people. If you look back last year, the 2020 AUIR that you were working on, in 2020 the BEBR numbers said that we had approximately 388,000 people. So that's 12,376 people more that we were planning for that the census said that those people really aren't here yet.

So what that means is we get to push out that next wave of improvement. It's not as -- as immediate as we thought just last year, because the population numbers were a little bit higher than what -- than what they actually were.

This happened in 2010, during the 2010 census, the 2011 AUIR we had the same type of discrepancy, and the numbers that we are obligated to utilize by our gross management plan is from the University of Florida, the BEBR numbers.

Next year those BEBR numbers will be influenced by the census bureau numbers and you can expect a revision down in terms of the population, so it takes a little bit of time for it to correlate through the system and through the numbers that BEBR will provide for us, but just to give you a heads-up that the numbers that we're using are a little bit inflated compared to the population that we will be expecting next year to be working from.

COMMISSIONER SHEA: Quick question. More of an education.

How do you define permanent population? How do you know how long people -- do you go into taxes to see who claims residency? How do you do that?

MR. BOSI: It's portions of that. It's also, they look at the questionnaires that come out from the decennial census of do you live here full time; is this your home for more than six months out of the year. Six months and a day makes you a permanent population. So those type of questions that the census bureau asks to discern this information is what's utilized to make those determinations, as well as utility hookups, electrical hookups, those other type of hard empirical data that's also utilized by the census bureau and the University of Florida to make those determinations.

As I mentioned, but it's not only population. It's the key metric for the majority of our Category B facilities, but within our Category A facilities we get a little bit more sophisticated, specifically, road and bridges.

Road and bridges, population doesn't really tie into their expansion plans. Of course, population is associated with the trips that are on the road system, but it's the traffic counts. It's the trips that are generated by each one of our road segments that have the counters on them makes the determination, how many trips are we experiencing; how many trips do we have within the volume, the capacity; how many trips available. So that makes the determination for when the next improvement is going to be -- or be suggested within the system.

Waste water. Wastewater and potable water also utilized historic demands. They also have a population projections, and plus they have -- the Board of County Commissioners is -- this is back towards 2001, 2002, they told the public utility system, be conservative. Add an increase towards what you expect that population -- the usage demand to be, because we never want to run out of the ability to flush the toilet. We never want to be able to run out of the ability to provide service from that tap water. So they have a little extra cushion that goes on just to ensure that those critical facilities are going to be available to the population when they demand them.

Storm water is more focused upon not population, but basin studies and the water management plan that says baseline.

Solid waste is associated with landfill disposal capacity. I think that's one of the success stories of general -- of the Collier County government that really doesn't get a lot of accolades. When I started the process for AUIR, 2006 was my first year. We were projecting 2024, 2025 as the end of our landfill capacity. The solid waste team has done a terrific job. We're now looking at 2067 to 2070 is when we expect that incapacity to be at.

One of the greatest reasons for that is we're one of the earliest counties to have a successful recycling program. Now, we've grown that recycling program to take so much of that material out of the landfill, but also, technology has helped us expand the ability to extend the life. And as is a community, one of the hardest things to do is to site a new landfill, so the longer we can push that off to the future, the better we are from a need capacity.

And then you have coastal zone. It's your adopted master plans and sustainable standards that really dictate when the beach re-nourishment and the other activities are going to go on.

What we're looking for from the Planning Commission today is just review of the AUIR, approval of the 2021 AUIR and recommendation to prove the Category A facilities to be part of the schedule CIE update to the GMP. And that's the -- like I said, it was just a high level overview presentation of it.

We have representatives from the majority of our AUIR participants. There's no scheduled presentations. The way that we traditionally would do it is just ask the Planning Commission for questions for the individual divisions or departments and just go forward that way.

With that, that concludes my presentation.

CHAIRMAN FRYER: Thank you.

MR. BOSI: Any questions?

CHAIRMAN FRYER: I thought what we would do, and certainly, if there's threshold questions now, they should be asked, but then we probably ought to go page by page through this and pick up any questions, comments or concerns that the planning commissioners have.

Anyone have anything for Mr. Bosi right now before we do that?

Anyone think we should proceed in a different fashion?

COMMISSIONER SHEA: I like yours.

COMMISSIONER HOMIAK: Page by page?

CHAIRMAN FRYER: Section by section.

COMMISSIONER SHEA: Section by section.

CHAIRMAN FRYER: Page by page will go fast unless there are lots of comments. We'll call the pages out like every 20 to 30 pages or something. We'll see what we have and we'll adapt to make it efficient.

Okay. I -- let's see. No one is signalling at this point. I'll lead off with a question, and my first question is on page 92 having to do with correctional facilities. And none of my questions should be a surprise to staff, because I met with them, as I always do, on Tuesday, and have gone through these and so in many respects, my objective is to make a public record of, in almost all cases, what I believe are thoughtful responses from staff to the questions and issues that I raise.

So the first one was a question, and I was glad to have received the answer and I'll ask it again so that we can make a record of it, has to do with a shortage of beds in the correctional facilities, and it occurred to me, wouldn't it be awful if, as a result of a bed shortage, we found ourselves or the criminal justice system found itself granting more paroles than would reasonably be expected, and I was very relieved to find out that -- at least to the staff's recollection, we have never had a shortage of beds in the correctional facility, so that is only a theoretical concern at this point.

Is that a fair statement, Mr. Bosi.

MR. BOSI: Yes. That is -- that's correct. And the chart on the -- at the last -- the jail section has -- the average daily jail population by fiscal year, and as you can see, it's been on a steady downward trend. The highest being 2012 at 988, and the last reading was 2020 at 628.

So -- and just for context, we have around 13 -- 1,304 beds available, so we are well below capacity in terms of what we experienced last year and going back, all the way back to 2010, we've never had an issue where the demand has outpaced the capacity in terms of beds availability.

COMMISSIONER SHEA: But you've had a very significant drop to the population in the last few years. What do we attribute that to?

And the other question is the cost per day has gone up drastically. I assume that's because most of the costs are fixed costs.

MR. BOSI: And I'm not working inside the sheriff's office. I'd have a hard time trying to identify why we've had such a decrease within the crime rate other than the efficient and effective job of Sheriff Rambosk and the team provides on a daily basis to this community, but I -- other than -- I can't give a better explanation than we have a lot of people who are following the rules now, I guess.

COMMISSIONER SHEA: I would compliment him.

MR. BOSI: Oh, without a doubt.

COMMISSIONER SHEA: Looking it's half the rate 2020 than it was in 2004, that's a major undertaking.

CHAIRMAN FRYER: We're very fortunate to have Sheriff Rambosk. He does a terrific job.

Speaking of Sheriff Rambosk, I've heard him speak publicly on a particular subject a number of times and I'm sure many of you have as well, and that subject is mental health in the county, and the sheriff will frequently say that the largest mental health facility in Collier County is the county jail, which is not just a play on words, but it's also a sad fact, I think, and it prompts me to want to ask the question, are we as a county spending enough money on providing resources for the needed health care of inmates.

MR. BOSI: That's a question that I'll have to coordinate with the sheriff's department specifically. I think that their response would be they would always probably have a little bit of need in terms of that regard, but they do recognize and they have commented many times that mental health and mental health care is one of the aspects that is provided for within the jail system, and it is something that is continually rising. But I can get a little more specificity on it. We'll get that response back to the CCP soon.

CHAIRMAN FRYER: Good. Thank you.

And as far as how we might go forward with our work and from our work today, it seems to me that

we could also be offering forth to the Board County Commissioners recommendations that relate to subject matter and the AUIR, such as, potentially, a recommendation that the BCC assure, to the extent financially feasible, that the mental health needs, resources of the county sheriff are met in full. So just as an example of a kind of a thing that me might want to put in our final resolution, that, I think, would be certainly in order, and I take it you would agree with that, Mr. Bosi --

MR. BOSI: Without --

CHAIRMAN FRYER: -- with the procedure.

MR. BOSI: The Planning Commission is well within their purview to make such a suggestion on any one of the aspects of the AUIR.

CHAIRMAN FRYER: Thank you. And I'm just going to go through my comments here, and --

COMMISSIONER KLUCIK: Mr. Chairman.

CHAIRMAN FRYER: Yes, sir.

COMMISSIONER KLUCIK: Procedurally, I'm going to move that we table this and that we do the next two items, since we have so many people here waiting and as a courtesy to them.

CHAIRMAN FRYER: All right. I'll ask for a second in a moment. The only thing that I would observe is that there are a number of people who have come in, and I think your point is well taken, but has everybody come in that is going to come in or have people assumed that it's going to be later in the morning? I don't know the answer to that, but having said that --

COMMISSIONER KLUCIK: My whole desire is to facilitate for the petitioner.

CHAIRMAN FRYER: Yes. That's a very reasonable thing to ask for.

Is there a second?

COMMISSIONER SHEA: I'll second.

CHAIRMAN FRYER: Okay. It's been moved and seconded that we table this, I guess, to later in the day and then proceed to our two rezoning conditional use or GMPA conditional use matter.

COMMISSIONER HOMIAK: I don't think it's a very good idea to do that. People are expecting to be here later that aren't here yet and you're taking that opportunity away from them if they're following the agenda.

COMMISSIONER FRY: The agenda was formally published, public record.

COMMISSIONER HOMIAK: Always.

COMMISSIONER FRY: I would be concerned that moving ahead now might preclude some people from being here when they planned to be here later, so I guess I'd have concerns about that.

CHAIRMAN FRYER: I do, too, but I fully take your point, Commissioner Klucik, that ordinarily, that would be something that we would definitely want to do, but since the agenda's been put out there and people are maybe pacing their own days against when they expect we might hit an agenda item, it's a good thought, but I'm not sure that it would be the best --

Anybody else have a thought on this? Do you want a vote on your motion or would you want --

COMMISSIONER KLUCIK: Well, yes, just because I think the -- I don't think people know how long items take. People don't know whether this would have taken half hour or an hour or ten minutes.

MR. EASTMAN: You also have staff that's here for the AUIR.

CHAIRMAN FRYER: Any further --

COMMISSIONER HOMIAK: We already did the addendum to the agenda. I don't know why we're doing it in the middle of a meeting like this. It's not appropriate, I don't think.

CHAIRMAN FRYER: Other commissioners want to weigh in before we vote? If not, all those in favor of the motion to table, please say aye.

COMMISSIONER KLUCIK: Aye.

CHAIRMAN FRYER: Opposed?

COMMISSIONER SHEA: Aye.

COMMISSIONER FRY: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER SCHMITT: Aye.

COMMISSIONER VERNON: Aye.

CHAIRMAN FRYER: It fails, but nonetheless, it was a good thought and we appreciate it.

All right. Staff, please continue.

MR. BOSI: We're waiting for the next question.

COMMISSIONER SHEA: Yes. How do you want to --

CHAIRMAN FRYER: Let's do -- okay. Commissioner Klucik, you were lit up, sir. Was that --

COMMISSIONER KLUCIK: No. I'm done.

CHAIRMAN FRYER: Okay. Thank you. Commissioner Fry is lit up.

COMMISSIONER FRY: I was not first, though. I know that I was --

COMMISSIONER SHEA: I took it off because I thought we were changing. No, I'm still in, but -- I have just questions that apply to everything. I wanted to understand this voter approved infrastructure sales tax, how that is collected and how it's apportioned, because appears in many of the different groups. For instance on the law enforcement, it's funding the crime building that they're -- forensic building they're talking about. So I'm wondering how it's collected and how it's apportioned among the different departments.

MR. BOSI: We have a former member of the OMB team here, Mr. Ed Finn, will be able to address that he request.

CHAIRMAN FRYER: Mr. Finn.

MR. FINN: Thank you, Mr. Bosi.

Mr. Chairman, Edward Finn, currently acting as facilities management director.

Sales tax was approved by the voters. The use of those funds was largely determined by that by category. As you point out, there is a substantial amount of funding, \$33 million for forensic evidence building for the sheriff. That project is proceeding. The sheriff facilities have received about \$12 million out of a total of 139 earmarked for facilities and capital facilities maintenance. That's the nature --

COMMISSIONER SHEA: But what I'm wondering is in the regulation that passed the sales tax does it say what percentage of that is collected goes the different departments or is whatever is collected decided by the commissioners how it's going to be each year, because I can see it being different each year.

MR. FINN: Yes, sir. When the voters approve that, they approved a specific allocation by broad category, and that's the method that's followed here. So relative to the -- there are several categories. The first one is transportation. And out of the total allocation, the transportation portion is \$191 million.

The next category, the category you're asking about specifically, which is sheriffs buildings and more specifically, facilities and capital replacements, that totals a \$139 million.

And the last category is titled community priorities, and that total is \$90 million.

The total allocation and planned collections at this point is \$420 million.

COMMISSIONER SHEA: I guess I'm confusing myself. So is -- the amount of money collection -- collected each year varies depending on what happens in the economy, right? So how do you determine how much goes to transportation; how much goes to jails; how much goes to parks? Is that something that the commissioners vote on or is it predetermined the percentage of what we collect will go to the different departments?

I'm just trying to see if there's any freedom with the commissioners to move things around a little bit to where it's more needed in a particular year.

MR. FINN: There's some flexibility, but the categories I'm outlining for you is essentially, and there are some additional specifics, that the voters specifically approved, so there's not that much flexibility to move around --

CHAIRMAN FRYER: There's a surtax commission.

MR. FINN: I was going to come around to that, Mr. Chairman.

The procedure is as follows: The dollar allocations I'm talking about are generally proved out. At the end of this program, the dollars I'm talking about, 420 million, those dollars are going to

materialize, so the program is pretty firmed up.

The procedure for getting to the program involved the voter approval and the voter approval and the statute requires the creation of a local surtax committee. That surtax committee reviews the request to spend the money and their responsibility is to validate those expenditures as being appropriate to -- relative to Florida Statute and the local ordinance. So that's their responsibility.

CHAIRMAN FRYER: Is it also relative to change and conditions in the county or not?

MR. FINN: There is some conditions under which they can weigh in on new projects, but I believe the Board of County Commissioners has to provide direction on that first.

CHAIRMAN FRYER: County attorney, did you want to be heard on that, sir?

MR. KLATZOW: There was an attachment or an exhibit to the ordinance that the voters voted on. It's project specific, so it's not like transportation gets \$110 million; it was project specific such as bridges; project specific such as a mental health facility, a sheriff's building. There were other parts that were a little less specific that would go to, like, roofs, HVAC systems, what have you, so it's not like we're allocating X number of dollars per year. We're doing it on a project-by-project basis. And what staff is doing is they're going to the infrastructure sales tax committee saying these are the -- this is project we'd like to allocate money for now is an approved project, and the committee would review it and make a recommendation one way or the other. So it's more project specific than it is buckets of money.

CHAIRMAN FRYER: Thank you. Before I call on Commissioner Fry, if I may, I've got a follow-up to commissioner Shea's question.

On page 94 of the packet there's a footnote. Again, this has to do with correctional facilities. And it says, due to budgetary constraints, only the Immokalee jail expansion is being proposed within the ten-year planning window. And I think I know what you mean by that. I think -- I hope it means with respect to anticipated receipts of funds as opposed to we're not -- we didn't get enough money to do all the things that we had planned on doing.

Could you comment on that?

MR. KLATZOW: I would just note that every year the sheriff comes forward with a budget, and to my knowledge for the present sheriff, the board has never objected to anything. They've pretty much allowed the sheriff's budget to be passed as presented, so if the sheriff wants to put more money into a certain spot, the board has been more than accommodating to that.

CHAIRMAN FRYER: Thank you. So I think it's fair to say that even though the Immokalee facility is the only one being proposed at this time, that -- we can assume that's in line with what Sheriff Rambosk wants.

Mr. Bosi.

MR. BOSI: And I would also say that not only, you know, from a fiscal standpoint, but from a need standpoint, we have 1,304 beds available. Last year we had an average of 628. There's not a need. There's not a need for a new facility in addition to any monetary restrictions that may be associated with a new facility. There's not a need.

And when you -- if Sheriff Rambosk was here or any of -- Chief Smith or anyone of his organization, they would say they utilize the AUIR for -- for their planning purposes for space needs. How they operate the number of officers within the system, within -- the number of beds within the system are based upon usage and their own internal discussions and their own internal needs in that regard, so the AUIR is valuable for them to identify and coordinate with the county on their space needs and emerging needs in that regard, but how they maintain their staffing levels, how they maintain their other aspects of the organization are separate internal discussions and policies that are contained within the sheriff's office.

CHAIRMAN FRYER: Thank you.

Commissioner Fry.

COMMISSIONER FRY: I'm not sure this is for Mr. Finn, so if anyone else has questions for him, maybe they can jump ahead of me. Nothing? Okay.

It's a general question, but actually returns to our discussion of the jail system and Sheriff Rambosk's

comment that the number one mental health facility is the jail. And we all know the pandemic has spurred a lot, you know, mental challenges for very great segment of the population, probably all of us in many ways. Looking for an overview answer. It seems to me that if the jail is the number one mental health facility, that's a bit late, right? Wouldn't it be better to supersede that and catch mental health issues and treat them prior to somebody committing an offense to go to jail, to then receive free treatment at the jail is a little bit late.

Tell us about the county's program to perhaps attack mental health earlier before it becomes the job of the jail system.

MR. BOSI: Well, I would speak a little bit out of turn in terms of providing any terms of expertise within that, but what I can say is the county provides to tremendous amount of funding to organizations, such as Dave Lawrence facility. That's a program that tries to intervene before that jail space would be needed.

Also, within -- within our structure of our society, there's the nonprofits, the religious organizations, the St. Matthew's House, those facilities that provide social support networks to individuals that are within crisis or within needs of those services.

So there's coordination within those institutions in terms of trying to address those individuals and provide for interventions before they get to the jail. So it's a series of not only governmental intervention but nonprofit facilities and institutions and the roles they play within the medical mental health, and the care facilities and the social safety network that's associated and available to any one community.

MR. KLATZOW: And Commissioner Solis (phonetic) spearheaded this, and the initiative started about two years ago, and one of the things the county is doing, and I believe this would be infrastructure sales tax, is working in conjunction with David Lawrence building a county mental health facility. That project is underway as we speak.

COMMISSIONER FRY: Available for the general public if they need mental health services?

MR. KLATZOW: Yes. It will be a county mental health facility.

COMMISSIONER FRY: I'm glad to hear that, because it sounded like the only county run mental health facility is the jail and the rest were relying on other interventional type, which interventional is, you know, when things get bad, right? So it would be nice if we had a more proactive solution, so thank you for that update.

CHAIRMAN FRYER: Commissioner Klucik.

COMMISSIONER KLUCIK: Yes. Just to Commissioner Fry, I guess I would just say that the decrease even during 2020 was -- does factor into the pandemic or a good portion of it, so it appears as though we're improving, so the mental health needs seem to be -- you know, if anecdotally that -- I understand what everyone is saying as far as the jail providing mental health services, but if we're going to go down the route of, you know, looking into that issue, it seems as though the need is decreased substantially, so whatever we're doing as a county or in this area, we have been doing something to make -- you know, make things better.

COMMISSIONER FRY: Are you speaking in terms of fewer people in jail?

COMMISSIONER KLUCIK: Right. Because that's the anecdote that started the discussion and by that measure, we're certainly -- you know, there's less of a need, because there's fewer inmates.

COMMISSIONER FRY: Well, less of a chronic need, because it's taken people to the point of where they've committed offenses and gone to jail, but I think -- look at Simone Biles and the Olympic athletes that are coming out that say that mental health is a challenge, it's now -- you know, the stigma is being removed from seeking mental health. It's more of a common need. I think I speak for myself and others, it's a great service that helps people live better lives, and I just wanted to find out if that was on the radar screen for the county, and it sounds like it is, which is great. You think of how many people don't go and seek mental health because counselors are 150, 200, \$300 an hour, and that's just not a budget that a lot of people can afford, so I'd like to keep it visible and I hope that it is -- it sounds like it is visible to the county commission that it's a valuable service that we could provide assistance of the county and try to nip it in the bud rather than wait until something requires intervention or going

to jail.

CHAIRMAN FRYER: Good point.

Commissioner Vernon.

COMMISSIONER VERNON: Yes. I am on the David Lawrence Center board, so you have full disclosure on the comments I'm about to make, but my perception is the David Lawrence Center does a fantastic job; Rambosk does as fantastic job. Rambosk took the lead that really brought this mental health issue to the forefront to come alongside David Lawrence Center, and I think

Rambosk -- obviously, I can't speak for him, but I think his point of view is to make sure these people get the mental health services they need and that he wants to work with the experts, primarily David Lawrence Center and some others, in order to get those services delivered, primarily by David Lawrence Center and other organizations like that rather than the sheriff becoming the mental health counselor in the group. So I think he's working very closely with them and I think the sales tax certainly contemplated this. So I think there's really good interaction. And the David Lawrence Center is available to everybody.

COMMISSIONER FRY: Even if you're not in crisis. I think that's the question. I think we're *talking about the jail, David Lawrence interventions. It sounds like you're treating people in crisis, but I'm talking about treating people that are before --

COMMISSIONER VERNON: Well, no. I mean, David Lawrence Center is a mental health facility. I mean, it wasn't created by the Sheriff or by the county. It is a mental health facility, not limited to people in crisis. At least that's my understanding. I mean, it is a traditional mental health facility. So it doesn't wait for somebody to get arrested to jump into action.

COMMISSIONER FRY: Anyone can walk into the David Lawrence Center and say I need help?

COMMISSIONER VERNON: Well, I don't think -- I would assume -- I can't tell you that, because I'm not a mental health expert, what their criteria is. I don't know whether anybody -- I don't know if you can walk in and say I need help because I feel bad today, but yes, I think, generally speaking, the answer is anybody can do that. They don't have to be in the criminal system or anything like that. This is a full service mental health facility, and very robust one for this area.

CHAIRMAN FRYER: I believe that, certainly, in previous jurisdictions where I've practiced law, that if someone believes that they are a danger to themselves or others, that's before something has happened, that's a pre-occurrence crisis, if you will, that they will receive the care they need, and also, my background as a paramedic officer in the St. Louis Fire Department, I can tell you that most -- I'll step back and say many times that crises or pre-crises like this occur are as a result of patients forgetting or failing, for some other reason, to take their medicines, and they realize it, infrequently, before it's too late.

My next question goes to page 99. Does anyone have anything before that page?

MR. BOSI: The one thing I would say is the way that the agenda is provided to the Planning Commission is a little different than how it's posted online, so if you could cite the section and then the page, I think it would help at least the individuals from staff here to understand, are you talking about roads; are you talking about jails; are you talking about libraries --

CHAIRMAN FRYER: All right. I'll try to get more --

COMMISSIONER FRY: Is there any reason why we shouldn't be putting these exhibits up on the -- as we talk about a certain page, it's got charts, numbers. Should we be showing those up on the screen so that -- to give everyone context?

MR. BOSI: Yes, if I can identify the page you're talking about.

COMMISSIONER SHEA: If we have more general questions, should we do that now, because --

CHAIRMAN FRYER: I think it's entirely -- my questions going forward are going to be specific to these sections, so if you have a general question, now would be a good time.

COMMISSIONER SHEA: Several of these, it gets to the impact fees. There are several of these individual departments that are collecting money; some of them, they're not spending any. What happens to that -- like one of them, I think it was \$40 million and nothing planned, no expenditures, or sometimes the impact fees are a lot higher than their actual projected costs? What does that -- what

happens to that impact fee money?

CHAIRMAN FRYER: That's usually employee bonuses, I think, isn't it?

COMMISSIONER SHEA: Is it?

CHAIRMAN FRYER: I believe so.

COMMISSIONER SHEA: That's why Mike came back, right?

MR. KLATZOW: I wouldn't know anything about employee bonuses there.

MR. BOSI: Impact fees have to be spent upon the facility that is associated with that impact fee, and it has to be associated with a capital expansion to expand that facility. They're restricted in terms of their utilization so they, basically, stand in abatement until the next wave of improvement has been identified and that's when they're applied.

MR. KLATZOW: And if they're not spent within a certain period of time, I think it's around seven years, they have would be returned, but that's not going to happen, because we don't collect enough impact fees in this county, even though we collect a lot.

CHAIRMAN FRYER: Thank you.

No one else has been up at this point, so I'm going to propose that we go to page 99 unless someone has something before then, and that page has to do with a balance sheet for correctional facilities. It's a law enforcement facilities, and it looks to me like a balance sheet.

And my question is, it's projecting a deficit. So it's guess it's an income and expense statement, too. It's projecting a five-year deficit of \$11 million. The conversations we've had to this point have been reassuring to me, but when I see a number like that, it -- 11 million. \$11,164,804 in deficit over five years. And that's -- that's a huge number.

MR. BOSI: It is. And it's completely associated with this chart (indicating). And what this chart shows are the three facilities that have been requested by law enforcement for Collier County government to provide for, that's the district one substation, district five substation and the forensic science facility.

When those stations are constructed -- when those stations are constructed, that deficit will be addressed, but that does show that there is a -- a revenue gap that's needed to be addressed and whether it be the sales tax or whether it be for general purpose, a budgetary line, that that's where that money will be made up. But that's why you're showing a deficit because we are -- we do have facilities, they've been on the books for a couple years that we are going to need these facilities; we just have not pinned down specifically the dates that they are going to move forward.

CHAIRMAN FRYER: Okay. I mean, that makes sense. That clarifies it for me. My thought, though, when I look at this income statement -- income and expense statement, it doesn't track with what I'm used to seeing for an organization's financial statements. And I'm not saying you need to change your nomenclature, but maybe a footnote would be in order to explain -- because this jumps out. You see an \$11 million deficit in the next five years. An asterisk with exactly your explanation would have saved the time.

MR. BOSI: Just for Planning Commission's clarification, this is not an operational budget for the sheriff's department. This is the capital needs of the needs of the sheriff's department that's obligated by us to provide for them, so that deficit is the revenue that we have to identify to provide for the system expansion or the building expansions needed for the sheriff's office.

CHAIRMAN FRYER: Maybe calling it not fully funded yet or something that to that effect would be better, because it's really not a deficit. It's -- you know, we passed the surtax; we've got general operating funds that we use to fund important projects like EMS every year, so -- it's just a suggestion.

COMMISSIONER SHEA: Let's go -- can I ask a question along that line?

CHAIRMAN FRYER: Please. Go ahead.

COMMISSIONER SHEA: When we get into funds like unfunded needs which show up under revenue as revenue, what does that mean, unfunded -- where is that money coming from when it says unfunded needs?

MR. BOSI: Either general purpose tax dollars or the sales tax. That's where the money is going to come from.

COMMISSIONER SHEA: So the assumption is that that money would be coming from outside of that department or division or whatever.

MR. BOSI: The sheriff's department does not -- does not contribute to the --

COMMISSIONER SHEA: This isn't on the sheriff. This is a general question. I'm actually looking at the transportation. But I see that on several of these unfunded needs. I'm just looking for a definition of what that means, since it is a source of revenue.

MS. SCOTT: For the record, Trinity Scott, deputy department head growth management department. You will see that within the transportation and storm water sections, both of those I believe we have unfunded needs. We have, with regard to the transportation, the roads and bridges section, we have -- our gas tax bonds will be expiring soon. We anticipate going back out for that, so that may give us an influx of funding. Also, debt considerations for the board. But we use it as a planning tool to be able to allow the board to have that dialogue that we anticipate that we're going to need additional funding, particularly in those outer years.

CHAIRMAN FRYER: Thank you. I have another comment I'd like to make on the same page, and it's a little bit above the \$11 million reference, and this has to do with the level of service standard of sheriff's officers, that the -- that the current desired LOSS is 1.84 officers per 1,000 population, and right now, they're not at that. They're not too far below it; they're at 1.77 officers, and so since we're falling below LOSS on that, I thought it would be desirable to have some kind of a comment and, Mr. Bosi, I realize you don't have expertise on the sheriff's budget and the like, but to the extent you can provide to us --

MR. BOSI: But I have had a lot of conversations over the years with them, and they will remind me and remind the Planning Commission that they utilize the AUIR as the barometer in terms of when their new facilities can be expected, but how they operate their systems, the number of officers, that suggests -- that's a benchmark they work towards, but the needs of the system and the needs of the over -- of the overall community is what dictates their staffing level and not the AUIR. They make a clear distinction that the AUIR is more for their capital planning program. The number of officers within the system are dictated by the needs of the system.

CHAIRMAN FRYER: So it's fair to conclude from this and what you just said that Sheriff Rambosk is satisfied with these number of officers per thousand at this time.

MR. BOSI: Correct.

CHAIRMAN FRYER: Okay. Thank you.

COMMISSIONER SCHMITT: Just to follow up on that.

CHAIRMAN FRYER: Please.

COMMISSIONER SCHMITT: If he is not, then that's when they come to the budget process and make a proposal to the board through the annual budget process.

CHAIRMAN FRYER: Absolutely. He's no shrinking violet, to be sure.

COMMISSIONER SCHMITT: No, he's not.

CHAIRMAN FRYER: But our role, of course, is to try to flag these things and raise them for discussion. But you're quite right.

COMMISSIONER SCHMITT: As Mike said, the AUIR is nothing more than a -- actually, just a barometer, a planning tool and it's just one indicator. Operationally, it's a different matter.

MR. BOSI: Absolutely.

CHAIRMAN FRYER: Right. Okay. No one else is signalling at this point, so I'll continue, and I'm going to -- this one's already been answered. Oh. All right.

On page 100 --

And I will speed up, vice-chair --

COMMISSIONER HOMIAK: Okay. Good.

CHAIRMAN FRYER: -- soon. You needn't worry.

In fairness, I will --

COMMISSIONER HOMIAK: I won't hold my breath, but I'll --

CHAIRMAN FRYER: I wouldn't want you to hold your breath.

Most of my comments are going to be on two or three subjects and it's just that this first one happens to be one of them. That's all.

This has to do with the sheriff's office training and gun range. And the point is made here in that other entities train at their facility and there's a concern expressed under this section that they're underfunded and I'm just wondering, ask the question, does the sheriff's office charge other law enforcement departments to cover their costs of using the range, if we know.

MR. BOSI: That, I do not know. I can, once again, try to effort that from the sheriff's department. And this is an example of how the AUIR stands as a useful tool is this is when they introduce the conversations that they will have at facilities with the Board of County Commissioners of what their capital needs are, and this is how the process starts in terms of the discussion that here's the type of facilities that we need to address to be able to continue the operations that we want to continue.

But I am not sure if they charge other outside agencies for utilization of that gun range.

CHAIRMAN FRYER: Then in the paragraph immediately following that it says, fully functioning CCSO facilities to services that growth areas in the eastern portions of the Estates should be considered in the near five-to-ten-year future, and it goes on to say, a minimum of two facilities will be required to support this short-term need.

Well, you know, when I see language like that, and I'm being asked to make recommendations, that certainly suggests that a recommendation should be made that this be addressed, because eastern Collier County is where the growth is happening. And we want to be sure that law enforcement keeps up.

MR. BOSI: And I would say -- and I would suggest that the planning commissioner remember that comment related to the AUIR as you hear the new villages and towns that are being proposed to you, those provide the greatest opportunity, because the sheriff's department, the EMS, the fire department, all government facilities are at the table when those petitions come around asking the petitioner if they can make room available for their services. So that's something that the AUIR can inform discussions of future projects that are going to be before the Planning Commission.

MR. KLATZOW: And keep in mind, we fund the sheriff pursuant to his request, but it's his budget. The sheriff completely controls what he's doing. Then once a year he comes to the Board of County Commissioners, okay, this is what I need; the board says thank you, you've gone a great job, approves the budget, but the sheriff is entirely in control of his own budget. All we do is write the check once a year.

CHAIRMAN FRYER: That's a point well taken, and that will enable me to step back a little bit from some of the minute level of comments I have. In other words, to paraphrase, Sheriff Rambosk is asking for what he needs and he gets what he asks for, but there's just some sections in here that seem to be in conflict with that conclusion, but I will -- I will accept the premise, the overall premise that he's asking what he needs -- asking for what he needs and he's getting it, and perhaps the AUIR, maybe next year's AUIR needs to be cast in a slightly different light so that it doesn't point out potential problems that really aren't problems.

MR. BOSI: I think the purpose of pointing these out are these are emerging needs and he wants to start the discussion with the Board of County Commissioners, with facilities with Collier County government, here's the things that we're seeing that's coming up in the future and we need to start to plan for it.

CHAIRMAN FRYER: Commissioner Fry.

COMMISSIONER FRY: I want to interject a basic question for our county attorney.

So this is my third time reviewing the AUIR, and as you said, you had department heads in the past come up and present each section. In both cases we more or less sent it on with a rubber stamp. We asked questions, clarifications.

Jeff, am I missing something? Is there an additional role that we are to be playing here? Are you expecting us -- because we really aren't in a position to say these numbers are wrong or you need to add a facility for this or that. Just clarify exactly what our role is here. Are we just rubber stamping this or are we literally adding value to the process?

MR. KLATZOW: You should be rubber stamping it. You're the local planning agency. I remember Mark Strain (phonetic) used to go through this in meticulous detail. You should question staff members. For example, if you think an area of the county road system needs more attention, you should be directing staff towards that. If you believe that there's a crying need for an EMS station in parts of the county, you should be building a staff on that.

So no, it's a planning tool, but at the end of the day, the planning tools are there to address the county's needs, and your primary job is to help the board figure out what the county needs are.

COMMISSIONER SHEA: My only comment to that is we get a massive, massive, massive amount of data a week before this meeting. There's no way in hell we can -- the only thing we can pick up are things that we hear routinely in the meetings that we're worried about like transportation on Immokalee, mental health and things like that. There's no way we could go through this data and ask anything more than informational type questions.

MR. KLATZOW: Then you should be getting the data much earlier than you're getting it prior to the meeting.

CHAIRMAN FRYER: I think we all would like to have that.

MR. KLATZOW: Direct staff for next year, we don't want to see it just before the meeting; we want to see it 30 days before the meeting so we have extra time to look at it.

MR. BOSI: And I will point out that it was available for on the October 7th hearing date, which is two -- obviously, two weeks ago. So it was available to -- but I will make sure that it's one month -- you want a month before? And we'll coordinate; we'll backtrack and move back staff's activities in coordination with the county management organization so we can ensure that you have 30 days.

And the other thing that I would say is not only the individual recommendations from the Planning Commission, the board that has value, but this is also to give you an understanding of the petitions that you're going to be hearing over the next course of the year that we do have plans and expectations in facilities that are on board to be able to handle the demands, that -- the questions that you're going to be asked to provide recommendations to the board in terms of new communities, new commercial ventures, and those type of things, just so you understand, this helps fill in the gap, and this helps give you understanding and it sets your concurrency management system moving forward for the next year.

MR. KLATZOW: As far as the timing goes, we don't have to do this. As Mike said earlier, we're the only county that does this. This is first and foremost a planning tool, what are the county's needs, then it's a budgetary tool, how are we going to pay for it, but it's just a tool. So you could be looking at this year round if you wanted to. We just have been in the practice of customarily doing this once a year and this is the time.

MR. BOSI: And I would say one of the other things that you hear on a regular basis is when we have a petition before us, the chairman will almost always look to, I think it's Exhibit F of the transportation section and question road segment capacities and will press our transportation department, so in that regard, I think this planning -- the AUIR, specifically in that purpose, really does inform and provide the basis for a lot of questioning that goes on on each individual petition that comes before the CCP.

COMMISSIONER SHEA: I think we'll get to those questions. I think we have them.

MR. EASTMAN: It's a quality control filter, I think, that this board serves. It's also an educational purpose, because it allows the board members to know this project, this road will be improved; therefore, this upcoming application, you don't need to worry about traffic, so and on so forth. I think it's worthwhile to do. And also, the general public learns to understand how we budget through the public services through this process.

COMMISSIONER FRY: Just to frame my question, really, you mentioned we're the only jurisdiction that does this. It's obvious the phenomenal amount of work that's gone into this looking at every aspect of our growth and how to address it, so from that respect, I think it's -- you know, it's great -- I think that's a great point, Tom, for educational purposes, very valuable for us and the public to understand the level of planning that's done by the county and I've been very impressed by that to the point where I'm not sure that I have a lot, you know -- we need a minutia type input to address it, but

the points are well taken, Mr. Klatzow, in terms of looking for areas of need and if we have additional time in the future to review it, I think it gives us more of a chance for a deep dive and to be able to look for those areas where we see a deficit that maybe is not addressed in here, so thanks for the info.

CHAIRMAN FRYER: Thank you.

Commissioner Schmitt.

COMMISSIONER SCHMITT: Karl, just for edification or education, I'll go back almost 20 years. This was a very, very painful process, because we were -- it was shortly there -- the following two or three years as we implemented checkbook concurrency and many other concurrency issues, it was very painful, because it was a process, a lot of analysis and effort to bring this tool to where it is today. Today it's almost -- almost mechanical in nature, it really is, because all of these templates are built, all of them are in place and the budget process follows the AUIR in some respects based on directions either from the constitutionals that control their own budget and, of course, our staff as they propose to the board.

But today's AUIR is pretty solid. But the history of it was fairly painful and I think Karen and folks like Stan Chrzanowski, I think Stan if you're listening, he's probably rolling over right now, and others that were involved in this process was -- but now it's -- it's pretty standard.

But it is a tool, and I agree. I mean, we can -- we can talk about this every week if we wanted and bring it up. It is our tool. It's our tool to advise the board, because we present this to the board, and tell them that we have faith and trust in the analysis of the staff and that they -- we, as the local planning authority, agree with the analysis and the levels of service, which is our job.

CHAIRMAN FRYER: Thank you.

Commissioner Vernon.

COMMISSIONER VERNON: I agree with pretty much everything that's been said. And I think it's phenomenal we do this, because I love being proactive and we're looking at five years in the future. But to Paul's point, we get this enormous amount of information, and even if we got this enormous amount of information two months in advance, it's still an enormous amount of information. So I'm wondering just to follow up with what I think Paul's suggesting for next year is maybe can we compartmentalize it and take it in chunks over, say, a three-month period instead of trying to do it all at once? Because what I'd like to get to, what I'm hearing is we're either overanalyzing it or under analyzing. We don't want to be a rubber stamp. I think Tom said it, you know, we want to be quality control over the great work you guys are doing.

So it seems like if we could maybe chunk it down and just take the -- a quarter to do it over a series of six meetings, or three meetings where it's a half hour discussion and then we approve it at the end of that two-or-three-month period, that we get there.

COMMISSIONER SCHMITT: I would not support that. I understand your position. The problem is, this is very staff intensive, and it is a dedicated period of time where the staff puts this together. It's available on the website; is it not? I mean, it's available. I hate to throw that as the excuse, but it is available any time for us to ask for this data.

MR. BOSI: I would -- it is available after it's been reviewed by the county manager's organization, but I would say the way to -- my perspective is -- because we do this annually, and we've gotten a pretty routine process for how it's prepared and how it's presented and reviewed.

I would say that where your focus should be in terms of the lens that you look at the AUIR is compare it to last year; compare it to the year before, and if there's discrepancies between the course of what we're proposing from a capital project, those are the questions that you have.

But when you see a consistent approach towards how we address deficiencies, how would we plan -- the forensic building, for example. It was in year five in 2019. It was in year four in 2020, but 2021, it went back to year five. Why is that? That's the question that would be the most pertinent, not -- because the -- these don't shift often. The capital planning doesn't -- the needs arise on a slow basis and the projects are identified and they work their way through year five, year four, year three. Once they get to year two and one, that becomes much more where you can count on that dependability of those construction, so when you see departures from one year of a project or facilities,

those are where the questions really should be focused upon.

The other aspect of the AUIR is to give you the assurance that these programs are moving forward as they should through the years and we've identified the financing to be able to bring them to fruition. So when you look at it, it's really that comparison that provides, I think, opportunities for where you can have those deeper questions and specific questions in terms of anomalies.

COMMISSIONER SHEA: Is the first year of the AUIR typically end up being the budget? In other words, the 2020 AUIR numbers, will that be close to the budgets that are proposed or is this just --

MR. BOSI: This -- the way it works, we complete the AUIR in the fall. The board hears it in November and that sets the stage for the preliminary discussions headed into the next -- the following year for the budget that they're ultimately going to adopt here in June and then adopt in September and then the next is the AUIR comes out and we identify new emerging facilities and that informs the budget process heading into the next year.

COMMISSIONER SHEA: So the next year budget process does mimic the first year in the AUIR.

MR. BOSI: Yes.

COMMISSIONER FRY: And each department is involved in the development of this AUIR? They have visibility of the numbers as they're developed; they're part of the process, correct?

MR. BOSI: Correct. The only portion of the AUIR that the planning staff completes is the law enforcement jails; we do that and then we send it over to the sheriff's office, they review, make comments, provide us their narratives that they want in it, but every other component is -- libraries develops their own AUIR section, parks develops their own AUIR section, storm water, transportation, it's all developed in-house by their team of professionals.

They provide it to us; we coordinate it in the book; we speak to the overview, but if we need any specifics, we'll bring them up so they can give you the expertise that they have within their individual area.

CHAIRMAN FRYER: Commissioner Vernon, did you have anything further, sir?

COMMISSIONER VERNON: Yes. I've done one of these and Joe's done 20, so listen very carefully to what he says. I'm not going to bring a knife to a gun fight.

But I do -- I take into account what he said. Possibly -- let me throw this out for next year. If we had a presentation that was a little bit more in-depth than what we had today, which I love the overview; I love the conciseness, but maybe a little bit more in-depth, and then had questions, and then at the next meeting, we vote on it. So maybe a two-meeting process or even a three-meeting process as opposed to just all at once. Just because it is a lot to digest, and that, sort of, is maybe a compromise based on what Joe said. So I don't know how everybody feels.

COMMISSIONER SHEA: If we're responsible to look and be kind of the quality assurance part of it, I would like to have more time and I would like to have the department heads here so that you don't get put on the spot all the time for their plans.

CHAIRMAN FRYER: It used to be that way and Mark Strain would make this into a multiple meeting process where we would go into excruciating detail, and as a result of having at least one, if memory serves, I've done five of these now, at least one of them was the multiday process, and I learned an enormous amount, and each year I think I learn a little more and can streamline my comments a little better, at least that's what I personally found.

What I'd like to do at this point, no one is signalling. It's 10:25. I'd like to take our midmorning break at this point until 10:35. When we come back, my next comments are going to have to do with EMS.

Thank you. We're at recess until 10:35.

(Whereupon, a recess commenced.)

CHAIRMAN FRYER: Ladies and gentlemen, let's reconvene, please.

And Planning Commission, my next comments are going to relate to the next subject, at least the next subject that is of concern to me, which is EMS, but before we get there, I'll ask other members of the Planning Commission -- I actually go to 123.

Does anybody have anything before page 123 that needs attention? Okay.

No one is signalling at this point, and the chair is proud to recognize Chief Butcher, our esteemed EMS chief with whom I have worked closely on the emergency medical authorities for a number of years. And I am glad to be able to reassure or sway the concerns of the vice-chair that I think I'm going to get an answer from Chief Butcher that will enable me to cut right to the chase and not have to grill down too deeply and take up a lot of time.

Welcome, Chief.

CHIEF BUTCHER: Good morning.

CHAIRMAN FRYER: Did you want to make any introductory comments or just answer questions?

CHIEF BUTCHER: I'll be happy -- for the record, Tabatha Butcher, Chief of Collier County EMS. Thank you for having me here.

I'll be happy to answer any questions that you may have and add some comments at the end depending on what those questions are.

CHAIRMAN FRYER: Fair enough. Generally speaking, my concern runs along the lines of the concerns I expressed when we were talking about law enforcement, the sheriff's office. The sheriff, of course, is a constitutional officer and as it was pointed out by the county attorney, his track record of getting what he asks for is near perfect, if not perfect so really, we don't need to worry or be so concerned about his budget, because he's the expert, he's getting what I needs.

Now, EMS, of course, is not a constitutional officer, but I know that Chief Butcher would let us know if she was concerned that her department was being shortchanged or that it should be elevated to Category A, which is something that we talked about some years ago, and back then the chief cautioned me that that didn't appear to her to be necessary, so I backed off of it.

And the 20 so or questions I have, I can set aside if the chief can reassure the Planning Commission that you're getting all the money you need to do what you believe you need to do.

CHIEF BUTCHER: Yeah, absolutely. I can't speak enough about the support from the county manager's agency, as well as the county commissioner. When we have a need and we bring it forward, we are provided the funds that we need to -- for whatever needs that we're asking for.

CHAIRMAN FRYER: Okay. Good. Well, that's what I wanted to hear.

It's -- sometimes the report that is submitted to us, as was in the case of the sheriff's office, seems to signal more problems than there really are, and in the future, it might be helpful to explain some concerns. And I'm not just pointing out EMS, but in other cases all well, where we see verbiage about deficits, and problems and shortages, that there be some language supplied in there that enables us to be relaxed about it and be reassured that the departments are getting what they need. Just a suggestion. Okay.

My -- I mean, your showing a five-year deficit of five-million-seven, and my past experience in emergency medical matters here, I know that a policy decision has been made by the county, since impact fees and service fees are never going to be sufficient to pay the full operating budget, that each year funds are taken out of the operating budget to make ends meet for EMS, and that's just a policy decision that has been made by the Board of County Commissioners and that's -- naturally, I support that.

We don't want a reduction in level of service, at least that's my personal opinion, and I would want to be warned by EMS, as I would by any department if that were on the horizon. I don't think that's an acceptable result to achieve if it could be -- it if we could avoid reducing our level of service by increasing our revenue somehow. So I hope that we would be hearing that.

Now, getting a couple of specific questions I have. And first of all, the leased facilities and our inability to capture impact fees, I guess, from leased facilities, would you say a word or two about that, chief?

CHIEF BUTCHER: Yes. So as you may be aware, and I know you're aware, some of the facilities that we house ambulances in, we lease those facilities from the fire departments, so instead of building stations, we just co-locate with fire agencies.

We're not able to utilize that for impact fees, but a couple of years ago we recognized that, that it had a little bit of an impact on the impact fees that we collect, so since then we have been trying to own

stations or do long-term leases so that we can utilize those to collect more impact fees.

CHAIRMAN FRYER: So if it's a long-term lease you can capitalize it? That's what -- in the business world, you capitalize it and depreciate it rather than look at it as a short-term expense.

CHIEF BUTCHER: I know Amy Patterson is here and she may be able to speak on it that more, but one of the conversations that we had and -- I believe it's longer than a 30-year lease that we can capitalize on that.

CHAIRMAN FRYER: Okay. Good.

Commissioner Schmitt.

COMMISSIONER SCHMITT: Just one question. Chief, year after year after year I always see Desoto station, Fiddler's Creek station as proposed, and I say know it depends on the operational issues and response times and where the current ambulance services are located. What's the status of those two stations specifically?

CHIEF BUTCHER: Sure. So we have four stations that we're currently working on. Desoto station, we're in the design phase of that. We are almost about to wrap up that design phase and then at that point, our target date is October 24th to wrap that up. We do have a meeting tomorrow to try to finalize some of that, but we will be bringing that project forward to put out for construction, so we hope by the end of next year, that station will be completed.

Fiddler's Creek is actually our fourth station down the line. And in between that we have Old 41 and Immokalee and Collier Boulevard.

COMMISSIONER SCHMITT: So those are -- meet the requirements for now.

CHIEF BUTCHER: They meet the requirements for now.

COMMISSIONER SCHMITT: I'm concerned. Desoto is one area of significant growth in the county, of course, the others is Fiddler's Creek, and significant growth going out the trail, but for right now, it's not an issue at least at Fiddler's Creek, but Desoto, you just answered the question. Thanks.

CHIEF BUTCHER: Yes. And that particular station in Desoto, not only for the growth, but that's what greater need for us just simply because station 71, which is located at Golden Gate Boulevard and 13th Street, they service that area out off of South Desoto and South Everglades, so right now just simply distance is an issue for us; however, a few years back we put up a quick response paramedic to service that area when that ambulance goes out.

COMMISSIONER SCHMITT: Okay.

CHAIRMAN FRYER: Thank you. Chief, how are the response times running these days in view of the fire suppression arrival time with ALS units? Are we doing as well we were doing several years ago, better?

CHIEF BUTCHER: We're consistent what we've been meeting over the last five years. Overall county wide, we have a 91 percent response time eight minutes or less. Our benchmark is 90 percent. So that's something that we just have to continually look at, continue to follow. We just make adjustments operationally on how we move units around for zone coverage to address those needs, so it's something that we continually look at.

CHAIRMAN FRYER: Thank you. The hospital off-load times, how are we doing on that?

CHIEF BUTCHER: We're actually doing very well. We have implemented a lot of different triage mechanisms with the ER staff that have helped us and we have weekly calls with them just to check the status. We have a status board with the hospital. So we've done a lot of internal operational things to make sure that we're meeting those offloads times in an appropriate manner.

CHAIRMAN FRYER: You're getting cooperation from the hospitals?

CHIEF BUTCHER: Yes.

CHAIRMAN FRYER: Good.

Restocking supplies. Have the supply chain shortages that seem to be tied to the pandemic, have they affected us.

CHIEF BUTCHER: Not so far. When the pandemic initially hit, of course, we had some personal protective equipment supply chain shortages, but we quickly resolved that. We worked closely, myself and the fire chiefs within the Collier County, we worked to make sure we knew what everyone's

numbers were so that if we had to help each other out, we would be able to do that, and we were able to help them a few times.

CHAIRMAN FRYER: I think my last question or observation has to do with Alligator Alley and medic -- or Rescue 63.

Would you say a word about that station? I know Greater Naples runs that and then we -- do we have a unit? Is Rescue 63, is that part of ours or part of Greater Naples?

CHIEF BUTCHER: So currently, that station, we receive funding from Florida Department of Transportation for that station. It is a rescue unit that is fire apparatus that has the capability to place the patient in the inside, if needed. It is not a transport vehicle. It is staffed with one Collier County EMS paramedic/firefighter and two to three Greater Naples firefighters.

CHAIRMAN FRYER: So we're still getting state funds to provide fire and EMS on I-75?

CHIEF BUTCHER: For the time being, yes.

CHAIRMAN FRYER: For the time being. All right. That's good.

Are those funds adequate?

CHIEF BUTCHER: Yes.

CHAIRMAN FRYER: Okay. I think those are all the questions I had. I had lots more, but I was able to set them aside.

Anybody else have questions for Chief Butcher? If not, thank you, ma'am.

CHIEF BUTCHER: All right. Thank you.

CHAIRMAN FRYER: Okay. I'm ready to talk about traffic and transportation.

COMMISSIONER SHEA: Do you want to do a couple little ones before?

CHAIRMAN FRYER: By all means. Yeah. Go ahead.

COMMISSIONER SHEA: Because I think Mike can answer that.

On the beach re-nourishment, there's a couple of \$35 million projects.

Are these just placeholders for what we see in the climate resiliency work that's going on or are there specific projects?

MR. BOSI: These would -- those set asides are for -- really focused upon beach re-nourishments.

Resiliency is a little bit further down the road in terms of identification, in terms of formally from a item that you're going to be hearing, and it was scheduled for the 18th, going to be pushed off to the 2nd of December, related to resiliency, related to coastal flooding issues, those are still in the process of --

COMMISSIONER SHEA: So there's no money in this -- what are the 35 -- in 2025 and 2029 there's 35 million.

MR. BOSI: Those are -- that's, traditionally, about a four-or-five-year window is when the beaches will need re-nourishments and I don't have the specificity in terms of which beach segments they are, but that's normally when we have the sand haul and the replenishment of the beaches.

COMMISSIONER SHEA: One more and another one just before we get into --

CHAIRMAN FRYER: Go right ahead.

COMMISSIONER SHEA: On the storm water, just trying to understand. It shows a five-year deficit. It's 233, is the page in the packet. That's a scary big number, so what's the significance of that big red number that we should be looking at?

MR. BOSI: It shows that we have a -- have identified a greater need for storm water projects than funding that's currently available. I mean, that's the long and short of it.

COMMISSIONER SHEA: What normally happens with that when you see a flag like that especially in storm water management?

MR. McLEANN: I can cover that one for you. Matt McLean. Traffic normally covers that particular division.

Again, we're looking at this as a planning tool overall and as we project out the five years, we definitely have more projects available than the current funding.

One of the mechanisms names that the Board County Commissioners supported for us to get back online I started to take advantage of some capital storm water projects is the \$60 million bond we

currently have, which is also incorporated in this under the debt funding. You can see that portion in there.

So as we continue work over the next couple of years, we look to continue to spend down that initial 60 million, we're going to continue to focus knowing that we have more projects in front of us for additional funding opportunities, so that's, essentially, our outlook that we know that we have a lot more work to do in storm water, continue to improve the overall network in the system, and currently, the way that we're doing that right now is through the first \$60 million bond exercise, but just recognizing that in the future we'll continue to have challenges for funding and we work on that as we go.

COMMISSIONER SHEA: Thank you.

CHAIRMAN FRYER: Anything else before we go to traffic and transportation? If not, the chair recognizes Ms. Scott.

MS. SCOTT: For the record, Mr. Fry is really failing me today with my entrance music.

COMMISSIONER FRY: New phone.

CHAIRMAN FRYER: Do you want to say a few introductory words, Ms. Scott?

MS. SCOTT: I have nothing. I think last year I went through -- I think staff was ready to send me out the door. I think last year I did over an hour presentation really going column by column so I was just, for today, open it up to any questions you may have.

CHAIRMAN FRYER: Commissioner Fry, you're first up.

COMMISSIONER FRY: We'll start it off with a high level general question, Trinity.

There's a chart on page 215 in our packet that basically shows the -- all the segments, how many increased by a certain percentage, versus were relatively stable, versus decreased. There were more segments that decreased than increased, which I thought was interesting. I just wondered how you -- looking at the statistics, about 37 or a little over a third stayed the same. Over 40 percent went down and then only about 20 -- low 20 percent went up. So how would you explain that in a county that's growing?

MS. SCOTT: COVID pandemic.

COMMISSIONER FRY: Strictly that? Okay.

MS. SCOTT: Absolutely. Last year our traffic count numbers were significantly lower. Lots of people were working from home. Lots of people weren't working, so certainly, that impacted our traffic numbers.

COMMISSIONER FRY: So these are an anomaly. Ordinarily, there are a lot more segments that are gaining traffic than losing traffic in an average year?

MS. SCOTT: Typically. We look at -- when we're doing our projections, we're looking at a minimum of a two percent increase when we're looking at our projections or historical growth factors, whichever is higher. So we are looking at this, but yes, absolutely, this year we did have some that went down just based on people not traveling as much.

CHAIRMAN FRYER: I made the same observation. 86 of 142 segments are showing less volume. And I'm not sure that this is entirely, when it -- when the pandemic has gone, this will entirely reverse itself because I think, as a working society, we've learned some things about, like, telecommuting and being able to accomplish productive work without being on the roads to get to an office, so I'm hopeful that that will rebound to the benefit of the county going forward. Obviously there are always going to be increases, but I'm hoping they won't be as steep as they might otherwise have been.

Mr. Eastman.

MR. EASTMAN: Trinity, I'd like to thank you and all of the transportation staff for Phase 1 of the Veterans Memorial Boulevard extension that will go out to the school district's new high school site, and I'd also like to get more details on Phase 2 of the timing for that.

Phase 1 really couldn't have gone better up to this point. The county provided the school district with a temporary construction access that was beyond our dreams, and everything with that project is moving according to schedule, and certainly, as a essential component to us opening the high school successfully, but as we're all aware, there's going to be the Phase 2 and if you could speak to the timing

of that, please.

MS. SCOTT: Sure, as shown in Attachment D, and I don't have the same page numbers that you do, but it's Attachment D in the transportation section, we're anticipating Phase 2 of the Veterans Memorial to begin in fiscal year '24. That will go all the way to U.S. 41.

In our initial, when we first started talking about Phase 2 of veterans memorial a few years back, we were only going to take it to Old 41; however, through some involvement with the community as well as the Florida Department of Transportation -- coordination with the Florida Department of Transportation who's working on the Old 41 corridor, we will be taking that project all the way to U.S. 41.

MR. EASTMAN: When would you imagine that it would be complete?

MS. SCOTT: It's probably going to be about a 24-month process, so beginning in fiscal year '24, so complete fiscal year '26, give or take.

We are currently working on the permitting and pond siting report for that project to try to get a head start on it.

MR. EASTMAN: Thank you so much.

MS. SCOTT: You're welcome.

CHAIRMAN FRYER: No one else is signalling. I really don't have a lot of questions, simply because I've finally awakened to the fact that thanks to the folks in Tallahassee, there's not a heck of a lot we can do, except complain, perhaps. Sometimes that's useful, sometimes not.

But I will ask for a little more of explanation, please, directed to the -- I count six of 142 segments of below level service standard, and I understand that Attachment G supplies a brief explanation of status, but what I would like to have is a little more back -- or a little more material that describes what the status of the funding is for the improvements, the estimated time of completion and what percentage of the work, if any, has been completed. And we can -- we can go through these by segment, but I'm sure Ms. Scott, you know these better than I do.

MS. SCOTT: Well, it varies by segment, but let me just -- I'll start with Old 41. Old 41 is currently --

CHAIRMAN FRYER: Give us a segment number.

MS. SCOTT: Hold on. 62.

CHAIRMAN FRYER: 62. Okay.

MS. SCOTT: Old 41 from the Lee County line to U.S. 41 is currently in a project development and environmental phase that is being conducted by the Florida Department of Transportation. They're also conducting the same study in the City of Bonita Springs. They're taking it from the Collier County line to Bonita Beach Road, because certainly, that roadway, when we're going to widen that, makes sense to widen it all the way to Bonita Beach Road. So we're doing that in coordination with them. They anticipate going to public hearing. That's a very regimented federal process that must go forward. They're anticipating a public hearing next year, in the latter part of next year. And then we are working through the metropolitan planning organization process to identify funding for design and construction.

This roadway is within a transportation concurrency management area and as we have discussed many times in front of this commission, we look at the transportation concurrency management area as a whole, and as long as 85 percent of the lane miles within that area are operating at an acceptable level of service then we will continue to allow and be recommending development to move forward. Not saying that we're ignoring these segments; we're working on these segments.

CHAIRMAN FRYER: I think numerically, the first one, and it's hard for me to look at. Is that 36.1 or 36.2? The segment of Collier Boulevard that is --

MS. SCOTT: So 36.2 is Collier Boulevard from the Wal-Mart driveway to Manatee Road. That is a state roadway, so that is actually State Road 951.

Florida Department of Transportation has, right away, funded in the current fiscal year, which is fiscal year 2021, and they have construction to widen that segment to six lanes in fiscal year 2024.

CHAIRMAN FRYER: Okay. Then is it 66.0?

MS. SCOTT: Yes. Pine Ridge Road from Shirley Street to Airport Road. That segment is -- currently, does it have any widening noted. That's already a six-lane facility. However, this is a segment that transportation planning will be undertaking an operational analysis similar to what we have done on other segments of Pine Ridge Road and Immokalee Road to identify if there are opportunities to implement innovative intersections that can increase the capacity for the roadway; however, I will also note this is within a transportation concurrency management area, so as long as the overall area is operating sufficiently, we can proceed forward with a level of service failure.

I will also note that we will have Vanderbilt Beach Road Extension coming on board, which is a parallel facility that will go from eastern Collier County to U.S. 41, and we certainly believe that there will be some diversion of traffic from not only Immokalee Road, but also, Pine Ridge Road.

COMMISSIONER FRY: When you say innovative intersections the only intersection involved in that segment is at Airport and Pine Ridge, correct? Shirley is a minor intersection.

MS. SCOTT: We were also looking at Goodlette, but certainly with Shirley Street we can look at if there are ways to do innovative intersections, such as a continuous flow intersection.

We also, as part of some of our studies, we've also been looking at interconnection opportunities and there may be interconnection opportunities particularly through the industrial park in the northern part of Pine Ridge Road.

COMMISSIONER FRY: That's where my business is located. That's an intriguing idea.

CHAIRMAN FRYER: Maybe we can light up that intersection a little better then.

COMMISSIONER FRY: What is a continuous flow intersection? Clarify that?

MS. SCOTT: A continuous flow intersection is one that instead of making a left-hand turn at the intersection itself, you actually make that left-hand turn before you get to the main intersection and you go on the opposite side of the through traffic that would be coming at you. They are used all over the world and all over the United States. We're actually going to be building our first one at Pine Ridge Road and Livingston.

But what it does allow you to do is it allows the left-hand turns to go at the same time as the through movement, where right now, typically, when you're at an intersection, the lefts go, typically, with the through movement that's going in the same direction, and then the lefts stop so the other oncoming traffic can proceed. So it allows us to give more green time to the through traffic and we're not taking it away for the left-hand turns.

COMMISSIONER FRY: And are you suggesting that as a possibility for the Shirley Street intersection or just the Airport and Pine Ridge?

MS. SCOTT: No. What I'm saying is that those are the type of things that we analyze and we look at when we get into operational analysis for the entire corridor.

COMMISSIONER FRY: Am I correct in assuming that would only be utilized in a major intersection.

MS. SCOTT: No. That's not necessarily the case. We would evaluate them. We go through what's called an intersection control evaluation process. It's a very data driven process to look at levels of service and through put at intersections when we do these corridor analysis, so we look at the smaller intersections and look at are there other ways that we can accomplish the movement of traffic. Sometimes a conventional intersection is what works best and it may just mean increasing turning lanes and so forth but it is an evaluation process that we go through.

CHAIRMAN FRYER: Commissioner Shea.

COMMISSIONER SHEA: Conceptually, can we talk about Immokalee Road? And I'd like to talk about it in two different concepts.

First is the study from Livingston to Logan, and then the eastern part that we hear so much about on almost every eastern Collier application that comes in here.

I know it's all buried in here, but conceptually, I'd like to understand it better. So let's go to the easy one.

What's going on with Logan to Livingston. Is there any money in this AUIR for any of those seven or so intersections that we're talking about improvements on?

MS. SCOTT: So we just took the study to the board at the last board meeting and the board accepted it. So we did a corridor congestion study for Immokalee Road from Logan to Livingston Road. They identified short-term improvements, one of which is an adaptive traffic signal, so a retiming of the traffic signals, which are actually going to start next month. So that will give us some initial relief out there as far as being able to platoon the vehicles more efficiently.

COMMISSIONER SHEA: Is that something that happens at all the intersections or just one of them?

MS. SCOTT: No. It's for the entire corridor. So from a timing perspective, we look at the interstate, because that's our major aspect from timing and then we work out -- work away from the interstate for our timing exercise for that specific project.

Another item that we identified as a shorter term improvement was to take the westbound right turn lane from Logan through to Livingston and restripe that as a through right turn lane so that in the a.m., we would get some additional capacity through that. Now, that is not -- all segments of that are not easy to implement; however, there is one segment from approximately Northbrook Drive over to the interstate where we feel there would be a lot of value in the a.m. peak particularly as far as getting folks to the interstate and getting them on the interstate in the morning and trying to relieve some of that congestion at the interchange area.

The board direction was to incorporate that in our upcoming budget process, so that is not specifically identify in here.

The project that is specifically identified is the design phase for Immokalee Road at Livingston, which is going to be a future grade separated overpass. So we have design in fiscal year '26.

And this planning tool that we use for the annual update inventory report fits right into the metropolitan planning organization's long range transportation plan so in their 26 through twenty thirty block, I have also identified construction funding for the actual overpass as Livingston Road, as well as the improvements for the interchange area, which will include Juliet over to Northbrook as well, because FDOT will look at those intersection improvements with the interchange improvements. So design for the major beginning in this five-year construction in the 26 through 30.

COMMISSIONER SHEA: So did you say the design, also, is starting on the -- on diverging diamond at 75, too?

MS. SCOTT: That will be dependent upon the Florida Department of Transportation, but we are working with them through the MPO process. It has been a priority of ours for upwards of ten years for them to start looking at that. They have an ongoing study looking at I-75, and I think that they have finally come to the realization that Collier County staff was not being Henny Penny; that we really wanted them to start looking at it ten years, but I think they're on board with looking at it now.

COMMISSIONER SHEA: Does anybody have any questions on that part of Immokalee?

COMMISSIONER FRY: Just wondering if there's an exhibit that shows the future vision of that --

COMMISSIONER SHEA: Yes, there is. There's actually a moving video. It's very well done. It's on the transportation web page.

MS. SCOTT: Yes. Capital project planning website and the transportation planning folder, there's a studies folder and there is a drop down that has exactly what Commissioner Shea speaks of.

COMMISSIONER SHEA: It's Immokalee Road study. It's very good.

COMMISSIONER FRY: It's not just the interchange; it's the actually the intersections along that segment of Immokalee?

MS. SCOTT: Livingston to Logan.

COMMISSIONER SHEA: All of them. Each one and what they are going to do in -- proposing at each one. It's very good.

On the eastern side, we constantly -- I mean, I see a lot of the sections that are in trouble right now, and what happens is there's all there's always -- this is me talking. I don't know how everybody else feels, but there's projects going everywhere -- on everywhere and I don't seem to get a clear feeling of what is going on that is going to take and change the rating of the sections on Immokalee out towards Wilson and beyond that area that are in trouble now or will be shortly. So I just wanted a conceptual -- I don't need to get into the details other than you've got this project that should relief this and that project that

will relieve that, and -- because I see some of the deficiencies clearing out there, but not for a while.

MS. SCOTT: So --

COMMISSIONER SHEA: I'm assuming is that expected deficiency last year is after whatever improvements we're making -- we expect them -- the level of service then to go back to an acceptable level; is that what that column means, expected deficiency last year?

MS. SCOTT: Let me --

COMMISSIONER SHEA: 224 is what --

MS. SCOTT: Thank you.

CHAIRMAN FRYER: Which column?

COMMISSIONER SHEA: That's the last one on the right before the comments and the solutions.

MS. SCOTT: So the expected deficient last year is during last annual update inventory report, what we had reported to you and the year expected deficiency is this year's analysis, so that gives you kind of that back looking and what has changed between last year and this year.

COMMISSIONER SHEA: What would be interesting if you had a column which was -- maybe it was wishful thinking on my part, if you had a column that said year the expected deficiency would be gone. That's what I thought that meant.

MS. SCOTT: So the year the expected deficiency would be gone is subject to having an improvement identified in place and having that implemented and open to traffic.

Remember that these are projections. This is not that that road's going to break that year specifically. It's based on projections of how we anticipate we may grow in the future. If growth slows down, if, as Commissioner Fryer talked about, during the pandemic, lots of folks realized that they could figure out how to telecommute more efficiently. In fact, a lot of my engineering firms I work with aren't even going back to the office at all. I keep asking them when are you going coming back. They're not even planning on coming back to the office. They're planning on working from home in perpetuity at this point.

So depending on how things change over the future, that's when we're going to know, it will be identified in the Attachment D that we have an improvement that's identified and this is the schedule for that project.

COMMISSIONER SHEA: So we have a couple of sections there that are deficient this year and next year.

MS. SCOTT: So let me address your Immokalee Road from, say, Collier Boulevard, even Logan Boulevard on out. I'm sorry. Immokalee Road from Logan Boulevard out to, say, Wilson or Randall. We are getting ready to let probably the largest construction project we've ever done which is Vanderbilt Beach Road construction. That project is going to go out to bid hopefully in the next month or two. We're going to open those bids and I'm hoping that the board awards it next year, early next year.

CHAIRMAN FRYER: Reminder to everyone, please mute your phones. Thank you.

MS. SCOTT: Vanderbilt Beach Road Extension Phase 1 will go out to 16th Street.

Phase 2, which is also identified in the five-year program -- I'm just verifying the year. Anticipated to go to constructions in fiscal year '24. That will take it to Everglades Boulevard. That is getting right into the heart of where the traffic is being generated from in Golden Gate Estates, so in our initial model runs that we've done, and they're model runs, I understand that, we're anticipating upwards of over 20 percent decrease in traffic on Immokalee Road because there will be a diversion, and that's going to divert not only to Vanderbilt Beach Road Extension we're also doing improvements to Pine Ridge Road, so all of these east/west corridors, we anticipate that there will be some diversion particular off of Immokalee Road towards the Vanderbilt Beach Road Extension corridor.

COMMISSIONER SHEA: Thank you.

CHAIRMAN FRYER: Thank you.

Mr. Schmitt.

COMMISSIONER SCHMITT: Quick question on the interchange I-75 and Collier Boulevard. It says design Phase 2021. What's the reality as far as -- we've done our part as far as the intersection

improvements. What's the reality on the actual state --

MS. SCOTT: So I-75 at Collier Boulevard is a late breaker and actually the information in here is not the most current.

They just announced, probably in the last 30 days, that based on the COVID-19 economic recovery funds, that the Florida Department of Transportation anticipates advancing that design built project into the current fiscal year. In fact, at the last metropolitan planning organization board meeting, we approved the transportation improvement program amendment to do so.

The Florida Department of Transportation right now is currently working to finalize all the necessary paperwork for them to be able to get that project out on the street in the spring of next year. So we will have construction commencing probably within the next 12 months or so.

COMMISSIONER SCHMITT: Wow. That's pretty significant.

MS. SCOTT: It is. And that's approximately \$100 million project as well. We have quite a few construction projects that will be led over the next six to nine months.

COMMISSIONER HOMIAK: See, that's good planning. Have it all ready to go. That's how you get the money.

MS. SCOTT: Absolutely.

COMMISSIONER SHEA: You said 20 percent reduction on Immokalee Road you expect on the Vanderbilt Beach Extension? What does that do to the level of service? Does it move from troubled back to something -- something more acceptable?

MS. SCOTT: I anticipate that it will come back down, but that was also why we went through and did the operational analysis that we did. Understanding that some of those improvements, the Logan to Livingston Road, is that we understand that we're going to get a dip and traffic is going to, you know, find a more efficient way, but we also understand that there's growth in eastern part of Collier County and we can't just sit on our hands, so that is why we implemented the study so that now we can look at these alternative intersections that will then increase the capacity of the road. So now I'm reducing the volume on it, but we understand that growth is still going to occur; people are still going to want to utilize that road, so we will then be implementing over that, as I said, the six to ten year, those major improvements for the interchange area, as well as Livingston Road.

COMMISSIONER SHEA: So you think that the -- I'm just paraphrasing -- that the work that we do between Logan and Livingston will also have an impact on relieving the load on the eastern Immokalee overloaded sections?

MS. SCOTT: We will in the interim with the Vanderbilt Beach Road Extension. We do have other plans for Logan Boulevard, which are identified in the long range transportation plan, but they are a little further out, as well as future overpass at 41 and Collier Boulevard -- I'm sorry. Future overpass at Immokalee Road and Collier Boulevard where, as you sitting as the Planning Commission have heard developer agreements where we have set aside the right-of-way necessary not only for the overpass, but also the water management, so we're trying to plan ahead to make sure that the real estate and everything is set aside so that in the future when we need it, we can just turn on the project.

COMMISSIONER SHEA: Will there ever be an extension of Collier Boulevard north to Bonita.

MS. SCOTT: That is identified in the long range transportation plan as a need; however, the roadway is not the envision that it was probably 20 years ago, I think, when Commissioner Schmitt was here, which was a roadway that went due north into Lee County, and extended all the way up, if I'm not mistaken, to Allico Road. It would have given access to the airport and so on and so forth.

Unfortunately, it goes through a very environmentally sensitive area known as the DRGR in the Estero and Bonita Springs area, so Lee County has kind of backed off on that. So we continue to maintain an extension of Collier Boulevard; however, our extension of Collier Boulevard goes up and connects with Logan Boulevard just south of the Collier County, Lee County line.

COMMISSIONER SHEA: So it won't have much of an effect because Lee County won't increasing the lanes in on their section of it.

MS. SCOTT: They have identified Collier Boulevard north of Bonita Beach Road as a need in their plan as well, but it has a lot of hurdles to go you through. And with that being said, the Collier County

portion, as well, will have a lot of hurdles to go through. It goes through a very environmentally sensitive slew area, so it would not be the cheapest project that I would be pursuing.

CHAIRMAN FRYER: No one is signalling at this time, so I'd like to return to the existing deficiencies. I think there are two more. First one is 88.0, which is State Route 82 at 29.

MS. SCOTT: Yes. Once again that's another state road waste system.

FDOT currently has the section from Gator Slew Lane to State Road 29 under construction, so in that overall blink, it is kind of split in half and part of it is under construction currently. And the remaining portion to the Hendry County line is programmed for fiscal year '24.

CHAIRMAN FRYER: The last one that I have is 92.0, east trail, if I've got this lined up right --

MS. SCOTT: Yes.

CHAIRMAN FRYER: -- or is it 91?

MS. SCOTT: So that particular section is within the transportation concurrency exception area. We will be pursuing an operational analysis and coordination with the Florida Department of Transportation, as well as there are thoughts about the specific land uses along that corridor. There's been an overall planning study that the planning staff has implemented, so we are going to look at dovetailing as they're pursuing some of the overlay items and looking at an operational analysis as well so that we can identify if there are opportunities to be able to do innovative intersections to increase the capacity.

CHAIRMAN FRYER: Thank you. No one is signalling at this time. I don't have any further questions with respect to traffic and transportation. Does anyone else? If not, thank you, Ms. Scott.

MS. SCOTT: Thank you.

CHAIRMAN FRYER: I think we need to consider our agenda for today, and getting back to commissioner Klucik's idea, now may be the time for us to temporarily defer further consideration of the AUIR and go right to members of the public and ask them to speak on the revised conditions of the Iglesias.

Staff, what do you think of that idea?

MR. BOSI: I'm not sure how much more do you guys -- how many more questions you have on the AUIR.

CHAIRMAN FRYER: That's a good question to ask us. I just have one or two on wastewater and water, and that's all that I will have.

What about others? Well, should we -- if that's the case --

COMMISSIONER SHEA: Why don't you ask yours?

CHAIRMAN FRYER: I'm sorry?

COMMISSIONER SHEA: Why don't you ask your water, wastewater.

CHAIRMAN FRYER: Is Ms. Patterson going to present on that?

MR. BOSI: There's no presentation.

CHAIRMAN FRYER: That's fine.

MR. BOSI: It's just questions.

CHAIRMAN FRYER: My question has to do with the -- profitability is not exactly the correct word, but a sufficient return on the taxpayers' investment, the taxpayers as whole of Collier County. I was re-educated following the hearings on the RLSA Villages to embrace or at least accept the concept that the county taking over wastewater and freshwater, potable water for these areas was a good investment, not only good for quality control purposes, but also something that was not going to unduly burden the taxpayers or even better than that, would be a wise investment for the taxpayers, and I heard that from numerous sources whom I believe to be credible, and I'd like to know if that is still the point of view of staff that these investments that we're making in order to provide water and wastewater services to the eastern part of the county, specifically the estates and specifically along Oil Well, whether these -- the staff continues to be of the view that these are wise investments from the viewpoint of the taxpayer at large.

MR. FYEY: For the record, Eric Fey, principal project manager for utility planning. I'm going to refer that question to our director of financial services operations.

MR. BELLONE: Good morning, Commissioners. For the record, Joe Bellone. I'm the director of financial operations for public utilities department of which the water sewage district is a large part of that.

And yes, to answer your question, briefly, we do believe that the investment we're making in terms of new infrastructure, as well as the acquisition of at least 20,000 or more new accounts in terms of the future revenue stream that will provide funding for rehabilitation of aging infrastructure elsewhere in the county, it's a great investment for the utility to make.

The utility, like the airline industry, is really dependent on mass, and the more people we have connected to the system, the more profitable. Profit is not the right word, because that separates such that the revenues we recover cover the operating and rehabilitation costs, so yes, we consider it to be a good investment.

CHAIRMAN FRYER: All right. Just further then, we as a Planning Commission and the BCC heard a lot when we were considering the RLSA Villages. A lot from -- well, the conservancy of Southwest Florida and their counsel presented significant details, and their conclusion was \$188.5 million was going to be the cost of the county providing waste water and water as a result of Long Water and Belmar.

Now, that argument was not accepted by this Planning Commission and was not accepted by the Board of County Commissioners. And I want to be sure that -- that the county is still of the view that that evidence that was presented, 188 million of cost, either that number is high or is accurate, but it's going to be recovered in time to the advantage of the individual taxpayer at large.

MR. BELLONE: It will be -- that investment will be recovered in time at the time of connection, so as you understand, impact fees for the utility and specifically are recovered at time of connection; however, the utility has to have the pipes and implants in place to deliver that service when the CO is issued. So it's why we go out and we borrow ahead of time.

MR. KLATZOW: Joe, what's our bond rating on this project?

MR. BELLONE: They're all triple A, and have been since 2000.

MR. KLATZOW: Think about step. Wall Street's spoken. You can't get a better bond rating and we've got -- our return on investment there is spectacular.

CHAIRMAN FRYER: Good point. I just wanted to make sure that we're still of the view that this is not going to be a saddle in the back of the taxpayers. I know it's going to take a little while, but eventually, we want this to not be a burden.

COMMISSIONER SHEA: The way you can see that is look on the tables the amount of revenues they collect through just the monthly billing, it's a big number. That's what really impacted my thought process.

But let me ask you another question. What do you -- what do you see as the rates? Here's the rates today. What's happening to them over the next -- what's the plan? Are there planned increases?

MR. BELLONE: Well, we just completed a user fee rate study that we had a rate consultant do for us. We brought it to the board. They recommended due to the increases in construction costs, for repair and rehabilitation projects mainly, and then we're still trying to understand whether the current cost increases in terms of utility parts, we've seen it on the news. We seen containers out on the ocean, so we're having deliver problems in terms of ports. Those costs are going up. We don't know if it's long term or short-term, so we're seeing short-term cost increases in parts and we're seeing longer term increases in construction.

So what we had the board do is even though we looked a five-year outlook and, again, based on assumptions that we had last year, we had the board approve and a 2.9 percent utility rate increase, which is pretty much in line with utility inflation, if you will, cost inflation. And we had other reports that if you look nationally, that rate is up closer to three-and-a-half, 3.7 percent. If you look at our history, we've probably looked at 2.9 percent annual average rate increases since the end of the recession.

MR. KLATZOW: The rates tend to go up over time. We're switching over from cheap water from the Tamiami reservoirs, it was, to Hawthorne, which is over 2000 feet deep. So your cost of water

will go up as the blended product shifts mostly from the cheaper water to the more expensive water and we're not going to be getting permits from the state to tap into the Tamiami, just not. So your cost -- everything staying the same as far as construction cost and everything else, just the cost of water alone, the cost to treat it because it's slightly brinish, the cost to extract it because it requires energy to bring up that distance, your water will go up.

COMMISSIONER SHEA: The reason I'm asking that is a follow-up to the chairman's question just to reinforce. To me the ultimate answer to the question is the rates aren't going up because of any construction projects that are serving eastern Collier County, and that's why I was asking, they're going up from normal cost of materials and cost of labor type things and that, to me, reinforces that the taxpayers aren't paying for that growth out there.

MR. KLATZOW: No. No. As your population increases, whether it's out east or out west or north or wherever it's increasing, we have to tap into more expensive sources of water. So it's fair to say that the increase in population will lead to an increase in cost.

If Collier County went back to 10,000, 20,000 people, water would be relatively cheap, because it's relatively sufficient. But the more and more people you stack here, the harder it is to get water, more expensive it is to treat water, so growth will lead to more expensive water, but it doesn't matter if it's back east or what corridor it is.

CHAIRMAN FRYER: This is like cost of goods sold and it's going to be passed on to the consumer.

MR. KLATZOW: Yes.

CHAIRMAN FRYER: Thank you.

Any other questions?

COMMISSIONER SHEA: I had just a real simple technical question that might be better -- we're adding some wells and stuff, just general information, since most of our water comes from the wells. What are we seeing in all of our wells? Are they dropping? Are they -- what's going on with that? I know you said in here the aquifer is capable of handling the yield that we'd be taking with the additional wells, but are we comfortable that ground water supplies are not dwindling out there and we're continuing to tap into them?

MR. FEY: Yes. For the record, Eric Fey, principal project manager for utility planning.

We are well positioned for future growth in terms of water supply. We have adequate allocations through our water use permits. Our well field as detailed in the AUIR report has ample wells within the planning horizon and those wells are performing. Over time yields from wells does degrade, but we've implemented maintenance programs to resource at please a portion of lost it capacity to those wells and we do have additional permitted well sites that have not yet been constructed so as wells do fail in the future, well in the future, they can be replaced.

COMMISSIONER SHEA: How is the aquifer doing, is kind of what my question is.

MR. FEY: Regarding aquifer, we aren't seeing an increase in the level of the aquifer declining or any water quality issues. There is some salinity increase in a few well locations, but it's not at a high level across the aquifer at large. We don't have a large-scale issue.

COMMISSIONER SHEA: Thank you.

CHAIRMAN FRYER: Thank you very much. Thank you, Mr. Fey.

No one is signalling at this point. What's the wish of the Planning Commission? We've had members of the public sitting here all morning. I want to get to a point where we can hear them as soon as possible.

COMMISSIONER FRY: Are we ready for a motion?

CHAIRMAN FRYER: We can certainly proceed in that fashion. Is the Planning Commission ready to vote on this? It seems as though they are.

The chair will entertain a motion.

COMMISSIONER HOMIAK: I'll make a motion to accept the AUIR and recommend approval.

CHAIRMAN FRYER: And the CIE?

COMMISSIONER HOMIAK: All at the same time?

COMMISSIONER SCHMITT: The CIE.

COMMISSIONER HOMIAK: And the CIE, too.

COMMISSIONER VERNON: Chris Vernon seconds.

CHAIRMAN FRYER: It's moved and seconded to accept the AUIR and CIE and pass them on the Board of County Commissions for the recommendation of approval.

Any further discussion? If not, all those in favor say aye.

COMMISSIONER SHEA: Aye.

COMMISSIONER VERNON: Aye.

COMMISSIONER FRY: Aye.

CHAIRMAN FRYER: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER SCHMITT: Aye.

COMMISSIONER KLUCIK: Aye.

CHAIRMAN FRYER: Opposed?

(No response.)

CHAIRMAN FRYER: Passes unanimously. Thank you, staff.

MR. BOSI: Thank you, chairman. I'd just like to thank all the participating staff for making themselves available, and we will coordinate next year. We will plan on individual presentations from the majority of the contributors.

CHAIRMAN FRYER: Thank you very much, staff.

MR. BOSI: And we will work with the Planning Commission a little bit longer in terms of getting the materials available to you.

COMMISSIONER VERNON: I think the goal is to find that balance between micromanaging and just rubber stamping.

CHAIRMAN FRYER: The second matters to come before us today are companions.

PL20190001333 is the 8th Street Northeast, 22nd Avenue Northeast Subdistrict small scale growth management plan and it's companion PL20190001326 is the Iglesias Pentecostes conditional use application.

And Planning Commission will recall that we began hearing these matters at our September 16th meeting and continued that hearing to today in order to provide an additional opportunity for the petitioner to assess and refine its conditions for use in order to address the numerous objections we heard from nearby residents of the rural estates community.

Even though we closed public comment at our last meeting, I would strongly recommend to the Planning Commission that we reopen that comment in view of the revised conditions that have been submitted, and I think those condition revisions are the only things that are new and, therefore, we would ask, respectfully, that members of the public, when they speak, confine their comments to whether the new condition satisfactory resolved their concerns and if so, fine; if not, why not, so that we can get a sense of how the public has perceived the new conditions.

And let's see. So this is -- this is quasi judicial because of the conditional use and so all those wishing to testify in this matter, please rise to be sworn in by court reporter.

THE [COURT REPORTER]: Do you swear or affirm the evidence you are about to give will be the truth, the whole truth, and nothing but the truth?

THE AUDIENCE: Yes.

CHAIRMAN FRYER: Thank you, disclosures from the Planning Commission, please. Starting with Mr. Eastman.

MR. EASTMAN: No disclosures outside of the materials in the public records.

COMMISSIONER SHEA: Staff materials only.

COMMISSIONER FRY: Staff materials and I will point out I was absent when this was first heard, but I have gone back and watched much the proceedings on Collier TV.

CHAIRMAN FRYER: In my case, nothing further since my previous disclosure except further

communications with staff and review of revised conditions of use materials from the applicant.

COMMISSIONER HOMIAK: Long for me.

COMMISSIONER SCHMITT: No disclosure for me either.

COMMISSIONER VERNON: No disclosures.

COMMISSIONER KLUCIK: No disclosures.

CHAIRMAN FRYER: Thank you. I'm going to run this by the Planning Commission and find out if it meets with your approval.

Once again, we've got members of the public who have been sitting here patiently for a while.

Ordinarily, we'd have the applicant make a presentation and perhaps we want the applicant to make a brief presentation, but I'd like to get to the members of the public as soon as we can and then go back to the applicant for further presentation. I don't want to cut the applicant off; I just want to hear the people who have been sitting here all morning.

Anybody object to that?

COMMISSIONER HOMIAK: No. It's fine with me.

COMMISSIONER SHEA: I would just ask that, we have a lot of people, that the speakers please try not to be redundant.

CHAIRMAN FRYER: That's a good point. And I think it's the sense, if I can interpret -- feel the pulse of the Planning Commission here, I believe it's the sense that we should ask, respectfully, that the members of the public limit their comments to three minutes.

Does that meet with everyone's approval?

COMMISSIONER HOMIAK: Yes.

COMMISSIONER SCHMITT: Yes.

CHAIRMAN FRYER: Then that's what we'll do.

Applicant, why don't you take 15 minutes, at most to give us an introduction to the revised conditions, and if you can cut it even shorter than that, that's fine. We will give you all the time you need after that.

MR. MARTIN: For the record my name is Justin Martin. I'm the brother of the pastor, Jorge Martin of the Iglesias Pentecostes Peniel Church.

I just came to make really brief additions to the statements that were made during the last Planning Commission meeting, and I'll defer to staff to go over the details of all of the individual revisions if staff is ready to do that; if not, I can read them right off of the screen here.

I just want to highlight a couple of things. So in order to do that, I need connect this computer to the laptop.

CHAIRMAN FRYER: While you're doing that, I'm going to ask staff to weigh in on how much time they will need to give a staff presentation in before we can turn to members of the public.

MR. BOSI: Staff has no presentation. We coordinated with the applicant on the revised conditions of approval. Other than that, there's no other additional material or commentary.

CHAIRMAN FRYER: Thank you, Mr. Bosi.

MR. MARTIN: I just wanted to highlight some of the things, because some of the concerns at the last Planning Commission meeting were about the hours of operation, and as you can see on the screen here, there's going to be two days a week for services. And those hours of operations have been clearly identified now from 6:00 p.m. to 9:30 p.m. on Wednesday evenings and Sunday mornings between 9:00 a.m. and 2:00 p.m. That's it. Two services a week limited to those hours, and that would be a condition of approval.

Further in there there's administrative functions that would be no more than five individuals at the church during normal business hours, 8:00 to 5:00, Monday through Friday.

There was concerns last time expressed about baptisms and bake sales. There will be no baptisms or bake sales. This church does its baptisms at the beach and it does not conduct bake sales. It's not part of what this church believes.

Weddings and funerals would be limited to no more than one occurrence on a single day. And the hours for those are as specified herein.

The -- the church will not rent its site or facility to outside groups or organizations. Outdoor services or activities will not be conducted as a condition of approval here. They are prohibited.

There will be no outdoor amplified sound. No daycare services, no private schools, no soup kitchens or homeless shelters will be at this church.

The floor area of 5,000 square feet, which will have no more than 100 seats, and that was reduced during the staff review process from 250 down to 100.

No parking along the street will be allowed. That was a concern during last Planning Commission meeting.

And all services will be indoors. There won't be any outdoor services. Bear with me here. Okay. I just wanted to highlight some of the differences between this subject church, which is the proposed church now versus the one that was approved back starting from 2011 to 2017, which is on the corner of Everglades and Randall. That site there is 7.8 acres. This church site is five acres.

The floor area that was approved in the STP for that church is 17,000 square feet. This one's only 5,000 square feet.

Seats approved for that other church, 230 seats. Seats proposed, maximum, for this church is 100. Building heights are the same.

Steeple height in that case it was 60 feet. This one is less and may not be even be 50 feet. That's just maximum allowable.

Hours were not specified for the other church. As I just mentioned the hours of operation for the services for this church are specified and they're very limited.

Parking for the other church has 130 paved spaces, 21 grass spaces in comparison to this church, 30 spaces paved, 15 grass spaces. This.

Is what the approved STP for the other church was, which was in the Estates residential zone, as compared to the conceptual site plan for this church. It's a small 5,000 square foot church.

The -- that square footage is roughly about the size of if you were to sell these two lots as residential and you add those two -- two homes developed, about the same square footage. So it's -- it's not -- it's not a very large square footage.

There is support for this church. We have, on paper, 519 signatures in support of this church. I'll just scroll down through some of these, and that 519 are Golden Gate Estates residents. We did get an additional 13 signatures on here, but those are not Golden Gate Estates residents so you'll see those crossed out on here.

CHAIRMAN FRYER: Commissioner Fry.

COMMISSIONER FRY: Mr. Martin, question about outdoor events. So I live in a Golden Gate Estates community called Oakes Estates and we have several churches in our midst, one of which is right on our main spine street, Oakes Boulevard. They have a couple of -- a few outdoor events a year. They have a trunk or treat coming up; they have a living nativity around Christmastime.

You have no plans for any type of outdoor activity? My main question for you is really you have put a -- I think they have a lot of conditions. I was not here at the first meeting, but you have --

Is this enough for you? Does this support the growth of the church that, perhaps, is inevitable? No outdoor events. These are pretty limiting things that you're agreeing to.

MR. MARTIN: They are limiting things and they are done with concern for the neighborhood and to be a good neighbor.

You mentioned a trunk or treat. This church doesn't do those types of events. Yes. It will be a condition of approval there are no outdoor events. Everything will be limited to the indoor to help ease some of the concerns of the neighbors.

COMMISSIONER FRY: Thank you.

CHAIRMAN FRYER: All right. Sir, if you could wrap up your initial presentation about the next three minutes. You'll have all the time you need after that.

I'm sorry. Commissioner Vernon.

COMMISSIONER VERNON: When were these signatures obtained, roughly.

MR. MARTIN: Roughly, they were dating back to June. June through early September.

COMMISSIONER VERNON: Were these part of the prior presentations.

MR. MARTIN: They were submitted to staff. They were not included in the prior presentation. There was mention of them, but we didn't show these on screen.

CHAIRMAN FRYER: Thank you.

MR. MARTIN: At that last presentation I mentioned, we had over 400 signatures. Right now we have over 519.

And rather than have these residents come up here and speak one by one, I'll just show it to you on this list here.

CHAIRMAN FRYER: Thank you, sir.

Would you allow us to hear from the public now, recognizing --

MR. MARTIN: I don't have -- I just a couple more minutes and I'll be --

CHAIRMAN FRYER: Go right ahead.

MR. MARTIN: -- finished.

Okay. I just wanted to point out that these two are the properties. These are the two properties that are being combined for the church which is on the corner of 8th Street Northeast and 22nd Avenue Northeast.

Part of the submittal for this review process to staff, there was a letter of support submitted. And let me show that. Okay. Here's the letter of support for the church. Note the address. Okay. That address corresponds with this parcel right here. There would be no more property affected by this development than this property right here. It abuts both properties. That letter of support comes from that property owner. Here's from the Collier appraiser's website. Here's the property owner in that letter of support.

And I will defer to staff to go over all the details of the revised conditions of approval to address all the concerns from the commission and also from the public from last time.

CHAIRMAN FRYER: Thank you. And we may be bringing you back up to answer some questions. I know I've got several questions about the revised conditions that would be most appropriately addressed to you, so I'll be asking you to come back up. Now -- and thank you for cutting your presentation short -- your initial presentation.

Mr. Youngblood, who do we have to speak?

MR. YOUNGBLOOD: Mr. Chairman, we have seven speakers registered in person with us. We don't have any speakers registered online.

Our first speaker is Heidi Severeyn followed by Rayanne Burton.

CHAIRMAN FRYER: If you wouldn't mind just spelling your last name for us, please.

MS. SEVEREYN: S-E-V-E-R-E-Y-N.

CHAIRMAN FRYER: Thank you.

MS. SEVEREYN: Just to go off of the last thing he said, there is another property abutting it in the back, and that person doesn't share the same opinion, just an FYI, because there is other property owner that's adjoined to that property. Just to make that clear. Okay.

My name is Heidi Severeyn. I live on 22th Avenue Northeast, which is this street that this is going to be on. And I'm voicing my opinion in -- or my opposition to the rezoning of it.

I have a few points I'd like to go over, and I appreciate you guys. I know you guys do this gratis, so thanks for, you know, taking one for the team today, I guess. All right.

The first thing is the Golden Gate Master Plan was recently revised in 2019. There's major intersections where things can happen, and this really is not one of them, just as a quick point. And it takes away from, like, housing that somebody could actually buy housing, which it's not that common as Golden Gate Estates type housing that people can buy and, it is quite popular nowadays. The church only has one entrance because of how its situated and it's on 22nd, so the entrance and the exit are on our little street.

I have pictures and videos if you want. I know you guys are busy; you don't go cruising to every single place you have to do a -- make a decision on, but many of the examples given previously of

different churches that are in general area, they have street -- many street exits. This is just the one on our little street. And that -- and if you look at the video, it's not a great entrance and exit of how it would happen if you're actually looking at our little street. I'm not trying to be mean or anything like that, but it's not really the best.

I think an important point is that the church has a growing congregation, which they said many times, which is great and, honestly, nobody on our street is against is a church. I just want to make that clear to everybody. But it seems as if this place will outgrow -- the congregation will outgrow this before this church is even built.

The church activities, I appreciate that they, you know, want to curtail different things to try and, you know, help; I understand that, but it's almost impossible to -- I mean, it's fairly hard to actually regulate, you know, certain things on certain days, because I mean, certain holidays don't fall on those two particular days and just different things end up -- or you can petition to have extra things later, which is easier when something is already in. So that's another thing.

And also, the last time after I had to leave to pick my kids up, you guys were talking with the petitioner, and the -- the petition, it says, oh, well, there's not a precedence for if this gets changed to a nonresidential use. Well, it does, because once a lot's changed to conditional use, you can't argue that it changes the nature of the neighborhood anymore, because that's already changed. So everything else would -- you know, you would have no recourse for why you could say no to the next plot being that way, and that is a precedence. It really is. And we are close enough to Randall that it just would keep coming.

CHAIRMAN FRYER: Ma'am, with respect, I'm going to ask you a question that would indicate what is important for me to hear from you and for the other members of the public.

Have you read the revised conditions?

MS. SEVEREYN: Well, I haven't read the entire thing, but --

CHAIRMAN FRYER: Okay. You heard an initial presentation?

MS. SEVEREYN: Yeah.

CHAIRMAN FRYER: Does it seem as though they're moving in the right direction or not?

MS. SEVEREYN: It's not that they're not moving in the right direction, it's that the whole point is we don't want something that's not a residential house on our -- in the interior of the Golden Gate Estates, and that's the foundational point of what I'm talking about.

There's other places where things could happen, like where -- well, I was going to say that place that's a little timeshare is still available that they can actually have their entire congregation that they want it to grow into, parking lot, playground, major roads to get to it in and out, and it's almost as if it's, yes, yes, yes, we'll do everything, but it's just not the right place for this.

CHAIRMAN FRYER: Understood. I'm going to ask for a show of hands. Those who have asked to speak and be heard on this, please raise your hands if you have not read -- or are not familiar with the revised conditions. Because that's what, I think, we want to hear about.

Ms. Burton, you have not seen them or heard them?

MS. BURTON: We didn't know it was available.

CHAIRMAN FRYER: But everybody else seems to have. All right.

Well, let's continue and -- I want to be sure I'm speaking for the rest of the Planning Commission.

Personally, I want to hear the public's reaction to the revised conditions, and I want to be sure that the speakers have had an opportunity to look at those revised conditions.

What is it -- what does the rest of the Planning Commission feel?

COMMISSIONER FRY: Why don't we put them up?

COMMISSIONER SHEA: I thought we just did.

CHAIRMAN FRYER: Yes. Is there a way of circulating them or is it too late to do that?

MR. BOSI: I could try to get somebody to print them for me, if that's the desire of --

CHAIRMAN FRYER: Well, if you could get it done in five or ten minutes, I think that would be pretty good. We don't need many copies.

COMMISSIONER VERNON: If you don't mind, and I should have -- I'm sure they were in my

packet, but I'd really like to see exactly what those 500 people signed off on and what that next door neighbor signed off on. I couldn't really read it from the screen. As long as you're printing stuff, just those two pages I wanted to look at.

MR. BOSI: The --

COMMISSIONER VERNON: It would be the first page of the 519 signatures and the one page of the next door neighbor on 8th Street.

CHAIRMAN FRYER: All right. We're at a pause here, so -- again, I'd like to be guided by what the Planning Commission wants to do with the rest of its hearing on this.

COMMISSIONER VERNON: I don't think it hurts to do this. It's probably a good idea, what you're suggesting, but my perception is the objectors object to a church in the area and believe it violates the master plan. So even if they cut it down to one service, it doesn't really matter. It's not necessarily a bad idea you're suggesting; I don't mind that; I'm just saying I'm not sure that changes their position.

CHAIRMAN FRYER: And I think that might be the case, and so I'm not trying to tell members of the public what they should say, but if that's your point of view, it would be helpful for us to hear it. And if you have -- also, it would be helpful for me if there are any points that have improved this application from your perspective as a result of the change of the conditions, I'd like to hear about that as well.

Ms. Severeyn, do you have anything further? You're kind of beyond time.

MS. SEVEREYN: Yes. Well see, last time it got changed where they changed conditions again and then we had to come back and then it's like we thought you guys were going to vote and kind of find out more information, but now there's revised conditions again and we only get three minutes. It's like changing the ball game posts sort of in midstream.

CHAIRMAN FRYER: We may suggest further changes, too. It may still be --

MS. SEVEREYN: But it seems like you're always -- it just seems -- and I appreciate because I know you're doing your homework. I'm not even getting that, but -- yeah. It's just kind of confusing to people when they have to try --

CHAIRMAN FRYER: You and other members of the public are certainly entitled to take the position that no matter how these conditions are changed, it's not compatible.

MS. SEVEREYN: That -- I mean, that's essentially what we're saying, because that's what you would have to make a point of.

CHAIRMAN FRYER: And when a speaker -- if that's what a speaker feels, please let us know. Now, we may take the opportunity of trying to improve further upon the conditions, but that doesn't necessarily signal how we're going to vote at the end.

MS. SEVEREYN: That's perfectly fine. It's just -- this is a learning curve for me, too.

CHAIRMAN FRYER: Okay. We look forward to seeing you at the next hearing. Thank you very much.

Mr. Youngblood, who do we have next?

MR. YOUNGBLOOD: Our next speaker, Mr. Chairman, is Rayanne Burton followed by Gustavo Marin.

MS. BURTON: Good morning. My name is Rayanne Burton. I had a speech, but I had to keep changing it.

The whole thing comes down to we're not against a religion; we're not against a church being built; we're against it being built where it is.

I went online and I got their list of support. I took off names that they didn't take off that were out of the area. There's also six pages, the very last, three of them are duplicates and that is a total of 52 names extra on this list of 409 that I have. I sorted it in Excel to find out who was living in by addresses. I found out that narrows it down to 225 houses. One address had ten people in it at one time.

What it comes in, I was also working on the people that don't want to come -- don't want the church. I got 89 names out of their 247 and I couldn't finish it at 3:00 o'clock this morning.

The issues are, we want free from traffic congestion. It is not a thorough street like Randall and

Everglades, which is a major road. I travel it daily. It also is going to be four to six lanes. This is only two.

We want to be free from traffic congestion and air pollution. I want to be able to see the stars at night. I want to be free from the noise when enjoying my latter years, a better quality of life. Putting a church in the middle of this is not appropriate for the area.

We travel to get where we want to go. We moved there to get away from it. I travel Sunday 21.6 miles to my church and it takes me 34 minutes on a good day, and that's on Sunday.

We moved there because of the open space to see the birds and enjoy our environment.

This is just not appropriate. I know the people want to have a church and I've -- everybody should have a church to go to. But it has to be compatible. Why would anybody want to build a church in a residential area where the majority of the people do not want them there? And I'm still working on the list of those that don't want it, and I found out maybe 89, a lot of them live right in the immediate area. Also, I tried to match the support list against their map that they put on there. So far I have only found four people that match the big five mile circle.

So please consider this. It is not appropriate for our area. We moved there to get away from the city. If I wanted to walk to a church, I would have been in Naples or Golden Gate Estates. Whatever the changes they're going to make, it's not going to be. 100 seats is not how many people that's going to be in that church. It's not, no matter what they say. They can't help it.

On Easter what happens? Everybody wants to go to church on Easter. You're going to tell your relatives that they can't come over from Hialeah or from Fort Myers?

I found residents that are listed in here. I found them off of Davis Boulevard. I found several of them behind the Collier Immokalee apartments, the shopping center behind there. One is by Great Naples Fire Department. That's not in the area, but that's on their list of support. Yes, I took the ones off of the nonsupport for the same reason. So please, reconsider this.

They have the property. They can sell it and go somewhere where they have a better access, transportation and road access and less congestion and maybe a better spot for them, too. Thank you.

CHAIRMAN FRYER: Thank you, ma'am. Next speaker, please.

MR. YOUNGBLOOD: Mr. Chairman, our next speaker is Gustavo Marin followed by Juan Hernandez.

CHAIRMAN FRYER: Thank you.

And while the gentleman is approaching, I'll ask the court reporter whether she needs a break.

COURT REPORTER: I'm okay.

CHAIRMAN FRYER: You're okay? Okay.

All right. You have the floor. Please spell your last name.

MR. MARIN: My name last name is Marin, M-A-R-I-N.

CHAIRMAN FRYER: Thank you.

MR. MARIN: Good morning, commissioners. I want to congratulate you for a well-run city and a well-run county. I travel all over Florida and I think Collier County is one of the best run counties in Florida. And I don't mean that just to win your approval, I mean it -- I really mean it. It's a really, really good city to live in and a good county.

I don't think 100 people is going to stop Mrs. Burton from seeing the birds or seeing is the night sky that she claims. I don't think that's the case.

Our mother church right now is located in Naples Park on 107th Avenue. We're surrounded by -- by every residential -- she's claiming that the -- based on the traffic on holidays and Easter is going to be tremendous. We never had a problem. We're in Naples Park on 107th Avenue. We're surrounded by every little house right next to it. The church is -- practically has a half an acre and it's surrounded by houses all over, and we never had a complaint from anybody, and this is a mother church. This is a larger church.

And then you talk about 100 people. According to what they're saying, they don't want a church, period. No matter what you do, no matter how much you bend over, they don't want nothing. They don't want you there.

And let me tell you, a church is there to help the community. A church is there to help people -- I mean, we're right now in a moral decay. The society is in a moral decay. We're there to teach the Ten Commandments, teach the Bible.

We're a conservative church. We're not a liberal church. We teach the Bible the way it is taught, and we try to help people better themselves.

Then why stop this? Why don't you -- why don't the people, instead of going against the church, because they're claiming it's going to ruin their lifestyle -- it never going to ruin their lifestyle. We never had a complaint by anybody around Naples Park. Never. And we're a larger church than they're going to build. It's 100 people.

And if their concern is that we're going to grow to a mega church in a 5,000 square foot building? No. Give me a break.

If our church gets bigger, we will build another one someplace else.

UNIDENTIFIED WOMAN: So doing it now.

MR. MARIN: We're not --

No. Because right now -- you know the price of rent and home values are skyrocketed, and we need to build the church so we can afford it. That's the reason we're building this church. Every year the rents go up, the -- you know, everything goes up and it's too much for a little church to pay. That's why we desperately need this church.

Now, if they're scared that we're going to go into a mega church, no. 5,000 square foot, that's all it is. If we need more room, if a member go to 200 or 150 or whatever the case, we're going to build another one, because we got the members to do it, but now it's just a small church and they'll have no fear.

The hours of operation don't -- are Sunday where everybody -- where traffic is low. On Wednesday night, everybody's already home from work. So there's going to be no congestion. It's just a benefit for the community that this church is built to support the people that need to go to church instead of driving all the way from -- from wherever they are, because -- some members have to travel 40 miles to go to church, so now this make it convenient for them to be built right at that spot, and make access to them. And believe me, this is a going to be a benefit to the community, not a minus.

Thank you so much.

CHAIRMAN FRYER: Thank you, sir.

Next speaker, please.

MR. YOUNGBLOOD: Our next speaker is Juan Hernandez filed by Emilio Berne.

MR. HERNANDEZ: Good morning. My name is Juan Hernandez.

CHAIRMAN FRYER: We'll ask the translator to identify herself, please.

THE INTERPRETER: Hi. My name is Elizabeth Marquina, M-A-R-Q-U-I-N-A.

CHAIRMAN FRYER: Thank you, ma'am.

Give her a chance.

THE INTERPRETER: So he was saying that considering the church would be an amazing thing for community and for the states in general, because the state has been like growing and stuff like that; they're making new schools, new, you know, facilities and all that.

CHAIRMAN FRYER: Thank you.

THE INTERPRETER: And he says that the church also educates and helps children like who may not have an education that like need help to like be educated.

And that's you all. Thank you so much.

CHAIRMAN FRYER: Thank you very much, both of you.

Next speaker.

MR. YOUNGBLOOD: Next speaker is Emilio Berne followed by Martha Vance.

CHAIRMAN FRYER: Thank you. Sir I'll ask you to spell your last name for us if you don't mind.

MR. BERNE: Hello. Good morning. My name is Emilio Berne, B-E-R-N-E.

CHAIRMAN FRYER: B-E-R-A-E?

MR. BERNE: N-E.

CHAIRMAN FRYER: B-E-R-N-E. Got it. Thank you.

MR. BERNE: I live in Golden Gate Estates. I belong to the Alva Peniel Church.

THE INTERPRETER: So he belongs to -- like he goes to Alva Peniel Church and he says that he considers that the church is a good opportunity, so we can have a more expanded area, because like our church is growing from that small like place. At our church with preach the gospel for kids, youth, adults and even the elders.

Thank you very much and God bless you guys.

CHAIRMAN FRYER: Thank you very much, sir.

Next speaker.

MR. YOUNGBLOOD: Next speaker is Martha Vance followed by Michael Ramsey.

CHAIRMAN FRYER: Do you want to be heard now, Mr. Bosi?

MR. BOSI: I was just going conditions of approval are out on the table on the hall.

CHAIRMAN FRYER: Thank you very much.

MR. BOSI: They're out on the table for anybody who may want them.

CHAIRMAN FRYER: Thank you. Members of the public, if you want to see those conditions, they're out there on the table.

Thank you, Mr. Bosi.

Go ahead, Ms. Vance.

MS. VANCE: Hi. First of all, I want to thank each of you on the commission, because you spend your time and your energy for the taxpayers purpose to make sure that we are -- I'm not doing this right. Let me go back to my notes.

Thank you for your time and energy you spend on the commission and the seriousness of which you undertake your job as you try to do right by the taxpayers. I really appreciate it. And the county's residents, of course.

Regarding what that gentleman just said about the sister church or the mother church, somebody received an e-mail or a text that said my co-worker's son lives in the 700 block off 106th Avenue in Naples Park, which is one street south from where the sister church is located. The surrounding neighbors always have complaints about noise, traffic and parking. Okay.

Now, for what I wanted to say. My purpose for being here, I am not, just like I think I said before, in opposition to the church, but the location is wrong.

Would you agree with me that a plan is only as good as its implementation? My thoughts. Churches and many other organizations do good things for the community. It is their purpose. It is expected. It is appreciated. But that is not relevant. It is not a criteria in the land development code or Florida Statutes. This is a land use change and a decision to recommend approval or denial should be based only on criteria adopted in the land development code and Florida Statutes.

Before buying the property, the buyer has an obligation to do their due diligence. Golden Gate Estate residents should know that conditional use opportunities are strictly limited by design. Their church should have done its due diligence and known this is not a location that is allowed a conditional use by the Golden Gate area master plan. The community should not have to bear the burden of their poor business practice. And I believe I mentioned when I was here before that two years ago, I think it was, when they put in their application or petition, they were told by staff that this was going to be an issue with the Golden Gate Estates residents.

The urban designated area does not have locational criteria for conditional uses in the future land use element by design. This is Golden Gate Estates and the Golden Gate area master plan does have conditional use locational criteria by design.

If the Collier County Planning Commission recommends approval of this comprehensive plan amendment based on the flimsy supported data provided that the congregation lives nearby, the traffics are minimal, that the people want it there, then it is setting a low bar for future plan amendments to allow conditional uses and would essentially render the Golden Gate area master plan's locational criteria useless.

We, the residents, got together, met with staff. Restudy was done back in 2019. It was not that long ago. There's no reason for you not to follow that. Thank you.

CHAIRMAN FRYER: Thank you very much.

Next speaker, please.

MR. YOUNGBLOOD: Our final speaker for this item is Michael Ramsey.

MR. RAMSEY: Commissioners, good to see you.

My name is Michael Ramsey. I'm the president of the Golden Gate Estates Area Civic Association. We have reviewed the changes of the petitioner, and we understand them and we find that they statutorily have not met their two obligations as listed in the plea out. There's not met a need for the church and they have not provided appropriate research for alternate sites.

I might also add that these changes, this could open up more areas for alternate site discussion or evaluation. Again, they have not met the two primary statutory requirements as listed in the plea out. Also in the plea out, the petitioner was instructed to make contact with the Golden Gate Estates Area Civic Association. They did not.

Since the last meeting they were instructed to work with the opposition. They still have not reached out to us. We did meet last night and discussed this in detail.

Question for the last meeting was, is a church to be built here, is it more of an impact than a single family home. Yes. It is more of an impact than a single family home. And we can say primarily most of our homes don't have 50-foot steeples and 30-foot structures and don't have 30-to-50-car parking lots.

Mr. Bosi gave a very good review of the GMP and its issues with this type of conditional use. The GMP -- the Golden Gate management plan, I'm sorry, is in existence to control, and restrict and provide guidelines for conditional uses in a location.

The Golden Gate Estates Area Civic Association has been involved with the Golden Gate Master Plan since its inception and every update since. And this petitioner, even with the changes, does not fit this location per the Golden Gate Master Plan.

And the petitions, it is our understanding that petitions, if they're properly constructed, that the people that sign those petitions should be registered voters in the county of the petition. I don't think that is the case in this -- for this petition.

So the hours of operation, even with the changes, still impact what we consider most important quality of life components, evenings at night, holidays and weekends. Their main operations. It still affects our quality of life components we value and cherish.

And the last -- the most important thing I remember from the last meeting was a comment that this is a growing church. It looks like it's going to continue to grow. And to put a church like that that's going to grow and grow that fast in this location will constantly impact quality of life components to the residents. Thank you.

CHAIRMAN FRYER: Thank you, sir.

Any further registered speakers? Anyone who is present but has not registered wish to be heard, now would be the time. I don't see any hands raised, so with that, we will turn it back to the applicant and then we'll here from staff.

Applicant, do you have more? I don't think you need to repeat things you've already said but I don't want to cut you short, so --

MR. MARTIN: Understand. I just want to go over some things that I've heard during the public speakers here.

There's been, ever since the beginning of this process, misconception and misinformation about that this is a rezone. This is not a rezone. This is a conditional use in Golden Gate Estates residential zoning. It is not a rezoned to a commercial use. I just want to make that clear.

And at the beginning I thought we're -- this was going only going to be about the public comments on the new conditions, but I heard the same opposition and even more since the last meeting.

Concerning the entrance, and there is one entrance, and that is because there was a TIS done, and Collier County staff reviewed it and they asked us to put the entrance on that street that far back from the intersection because of traffic as to not put traffic onto the main street. That's why the entrance is on -- on the side street. That's why there's only one entrance. And that's by design as suggested by

Collier County transportation staff. We complied with that.

Again, traffic. This is not during peak hours. This is on a Sunday, and it's on a Wednesday evening. It's not during peak hours. It's not during the morning rush hour, not during the afternoon or evening rush hour.

I heard about outgrowing and then coming back and asking to -- get a foot in the door and then asking for other things. You can't grow past what the maximum size of this building is, which is 5,000 square feet. There is no -- nothing in here about accessory structures, accessory uses, any types of events that are not permitted, all those are specified clearly in conditions of approval, so it's a strong argument to say that this will get your foot in the door, then you're going to have all these functions, all the events, no. That's clearly spelled out in the conditions of approval. So that's a miss -- that's misinformation.

I heard one speaker say that they travel 21 miles to go to church. Well, wouldn't it be nice for the residents of this community to have a church that they can go to and not add to traffic onto Immokalee Road, which is already taxed, and all the other roads in the county. If you have a local church, there's no need for you to travel 20, 40, 50 miles to go to another church.

There was talk about signatures, and the speaker herself admitted that she was only able to verify 89 of the signatures on her list that were not in support of it. The signatures that we submitted are public record. Okay?

There's also talk about the civic association. All I heard at the last meeting and this meeting, and correct me if I'm wrong, I don't think there was anything submitted to staff saying that there was signatures from this civic association with these members that are opposed to it. So we have one person from that civic association and we have half dozen here that are in opposition. Same as last meeting.

One of the speakers said that churches bring good things to the community, but good things are not relevant. Really?

This, again, like I mentioned last meeting is not a precedent. There's already about a dozen churches in Golden Gate Estates. We put that map up on the list at the last meeting. This is not setting any precedent. There's even a precedent after the master plan amendment was prepared, and that's the church that referred to earlier at the corner of Everglades and Randall. That's a church that's three times as large, has more seats, more parking. This is just a fraction of that. This is a small church on two small residential lots that are being combined. It's a 5,000 square foot church. There will never be more than 100 people at that facility.

The concern about growth. Well, when a church grows, just like -- the original church that was mentioned in Naples Park, that started there. As the need grows and you have members coming in from outside the area, that's where the -- where the facilities are built for those needs.

There's a church -- the second church is in Immokalee. And that right now is in the process of going through all the permitting and construction. This is one here. So if -- if it grows, it would be wherever the needs are. Not here. Not in this location. And I just want to make this statement, also, that the church has no other properties in Golden Gate Estates that they purchased that they plan to come back and do a conditional use, growth management plan amendment. Understand -- the church now understands that if the need occurs for something at another location, that's where they're going to look for it, where it is a -- permissible with those conditions.

I heard a comment about only registered voters should be allowed to speak or state their support or opposition. That, to me, sounds like you're really minimizing other people who are not registered voters. That just -- it didn't sit right. Those are people, too, even though they're not registered voters. And I don't want to get into the list of, you know, these many people are registered and those aren't. Bottom line is there's always going to be a handful of people who don't want it -- they've even said it to you here -- no matter what, even if it was a 100-square foot 10x10 building with two members, they would still be opposed to it.

Going back to what I said at the previously meeting. Churches in residential zones have historically, going back to the founding of this country, you have churches in residential zones. It's not an

incompatible use. Understand what the lady said about the process, but this is part of the process, also.

CHAIRMAN FRYER: I'm going to ask Commissioner Fry to comment.

COMMISSIONER FRY: Just a question. I plan to ask the same question to staff at the end. There was a statement about frequent complaints about traffic, noise and parking, I believe, at the Naples Park location. Can you please speak to that?

MR. MARTIN: I'll let the Pastor speak to that.

COMMISSIONER FRY: And I ask that question as a, I guess, foreshadowing, if there are frequent complaints there, might the same thing occur at this new location.

PASTOR MARTIN: We are there 25 years.

CHAIRMAN FRYER: Please identify yourself.

PASTOR MARTIN: Oh. My name is Jorge Martin. Okay.

I'm the senior pastor of the mother church. I have 25 years in that location. We don't have any complaints. I don't know where the information coming from. I don't want to say it's not truth, but we don't have any complaints from any neighbors and we have a lot of neighbors go to our church. So I don't -- I don't mention why somebody can say we have a lot of complaints, somebody live in -- or another street. Maybe somebody don't like the church. Because I hear about it; it's not a religion; it's not a church; it's not -- what is it? A location? That's what we tried to do. Accommodate the church in the good location. When we bought that building over there that was condition using for many, many years, we buy it from the Jehovah Witness home, so we have no problem. We're remodeling. The county even has a permit for doing everything we got. We never have objection in the church, like we can't park in the street. You can't see our landscaping. It's not because our church, but it's because (inaudible) is all over the neighborhood. We have nice, we're spending a lot of money because everybody can feel comfortable on that one. I guess --

Does that answer your question?

COMMISSIONER FRY: Yes, it did.

CHAIRMAN FRYER: Thank you, sir.

And I'll ask the applicant, certainly, we don't want to cut you off, but what we're most interested in hearing is anything new that you have to say.

MR. MARTIN: I think the commission is aware of all the issues since the last commission meeting and this one, and I'm here to answer questions, but the complaints I just keep hearing is not in my -- not my backyard.

CHAIRMAN FRYER: Okay. Thank you.

Commissioner Vernon.

COMMISSIONER VERNON: I just want to synthesize a couple of things.

Since the last meeting, I identify three things have occurred. You got more supporting signatures, correct?

MR. MARTIN: That's correct.

COMMISSIONER VERNON: And you further limited the use through what's on the screen, and one of the two adjacent neighbors has indicated in writing support for your church.

MR. MARTIN: That's correct.

COMMISSIONER VERNON: Am I missing something? Is there something else knew that we didn't hear at the last meeting? I just want to make sure I'm not missing anything.

MR. MARTIN: No. The conditions of approval list everything that was revised since that last meeting and those were taken from notes from the Planning Commission meeting. We met with staff, had a meeting at the growth management and they drafted the revised conditions.

COMMISSIONER VERNON: And then setting aside the spirituality issue, what is the public benefit, other than possibly reduced traffic, to putting the church there?

MR. MARTIN: Having a church local, like you mentioned would -- is traffic, and that also would mean more participation. It would mean a place for youth to go and get counseling. I can go into all the uses that a church does, but I'd rather have a pastor do that.

The -- right now where that church is renting is a small space, and it's on Immokalee Road and it's further away. This puts the church closer to where the members are going to be, and it's minimal impact, if any.

I invite any of you to go to any of these churches that are built in Golden Gate Estates and see if you notice the noise. Every time I drive by one of these churches there's nobody there. There's no noise. There couldn't be a better neighbor than a church.

CHAIRMAN FRYER: Thank you, sir.

Any further questions? No one is signalling. I'm going to ask staff for its presentation.

MR. BOSI: My Bosi, planning and zoning director. There is no presentation. The staff has maintained their recommendation of approval and based upon the further conditions, feels that it is a neighborhood church that could -- that could find compatibility with the surrounding areas.

One of the things that led us to the recommendation was the classification of 8th Street and expected functionality as a collector road and that's why staff felt it was appropriate to -- and with the additional conditions of approval, we're going to maintain our recommendation.

CHAIRMAN FRYER: Thank you.

Commissioner Fry.

COMMISSIONER FRY: Mr. Bosi, Mr. Ramsey stated that the church did not meet two statutory requirements, which was appropriate research on its alternate locations and the need in that area.

I just wondered if you could answer -- you've recommended approval; obviously, you believe that all statutory requirements were met, so if you could please speak to that.

MR. BOSI: We believe that the statutes really do not speak -- if you're speaking to Florida Statutes, they don't speak to any conditions for approval from a local land use process.

We believe that the applications have satisfied the local land use requirements.

COMMISSIONER FRY: Last question. Statement of complaints at the Naples Park church.

Have there been -- does the county have record of code enforcement violations or frequent complaints from neighbors of that church?

MR. BOSI: I'd have to research that. That wasn't an issue that we would be prepared to -- we haven't done research on a church that wasn't part of this application. I mean, we understand it's associated with it, but we haven't -- we weren't provided any forensic investigations in terms of whatever code enforcement case --

I can coordinate it with my code enforcement director to see if there have been any cases in the past, but regarding this church, we look at this location and this proposal as it is.

COMMISSIONER FRY: Okay. Thank you.

CHAIRMAN FRYER: Commissioner Klucik.

COMMISSIONER KLUCIK: Yes. I would just like to ask our counsel, is there any issue as far as this doesn't meet statutory requirements, this petition.

MR. KLATZOW: It would not have come to you unless my staff signed off on it.

COMMISSIONER KLUCIK: That's what I thought. Our wise counsel would have made sure that we didn't fall into a trap.

The other thing I guess I would just say, Commissioner Fry, I think we're putting -- I mean, you're giving consideration to what someone stated, but it was hearsay of hearsay. It was somebody that they knew had an e-mail or something. And if -- you know, given all the time and their organization, that they do have some organized opposition to this, it seems like they could have come up with something other than a passing reference. So I think it's deserves due weight.

COMMISSIONER FRY: Well, I asked in an attempt to cover all bases, right? To address all concerns.

COMMISSIONER KLUCIK: I appreciate that very much. Yes.

COMMISSIONER FRY: I would say -- I mean, I have six churches in my neighborhood. It's two square miles. Six churches. One of those six is down a side street and it's a mega church, and staff is aware of complaints, neighbor complaints and code violation complaints of that church. I don't -- I believe if there were a substantial amount of them, they would have somehow come to your attention.

They would have been pointed out by the opposition or it would have already been well-known within the county circle, so Rob to your question, I'm really just trying to cover the bases and make sure that we vet this thoroughly.

COMMISSIONER KLUCIK: No. And I appreciate it very much, and I just reiterate --

CHAIRMAN FRYER: Thank you.

Before I call on Commissioner Vernon -- I should have done this earlier, without objection we'll close the public comment portion of hearing.

With that, Commissioner Vernon.

COMMISSIONER VERNON: Yes. I'm just speculating. Maybe I'm wrong, but I -- my assumption, when I heard the word statute, I thought they were talking about the Golden Gate Master Plan and it's not consistent with Golden Gate Master Plan is, basically, what that reference was.

MR. BOSI: By nature of an amendment, it's not consistent with the Golden Gate Area Master Plan. It would need the amendment to be consistent with the Golden Gate Area Master Plan. So until -- unless the Golden Gate Area Master Plan was amended as being suggested by their application, it's not consistent by its location.

COMMISSIONER VERNON: Just so we're all clear, what the standards for amending?

MR. BOSI: The standards for amending the Golden Gate is you have to show a need, you have to show compatibility. There is a number of other -- capacity within the transportation system, the availability of infrastructure, the traditional things would be associated with a GMP amendment.

COMMISSIONER VERNON: Thanks.

CHAIRMAN FRYER: Thank you. No one else is signalling at this point.

I have some additional questions or issues that I want to see if I can get a concession from the applicant on before I make up my mind on this.

Applicant, would you please come to the mic.

2B, which reads, the church shall not rent, et cetera. Are you familiar with that provision?

MR. MARTIN: Yes.

CHAIRMAN FRYER: Would you accept the following revised language, the church shall not allow its site or facilities to be used or occupied by any outside groups?

MR. MARTIN: Absolutely.

CHAIRMAN FRYER: Okay. Thank you.

MR. MARTIN: You're good.

CHAIRMAN FRYER: Thanks.

Of course, we have the master plan that shows only one structure, but the language limiting the space to one structure is no longer there.

Would you agree to adding the language in the conditions that there only be one structure and it be no larger than 5,000 square feet.

MR. MARTIN: Yes.

CHAIRMAN FRYER: Again, I'm not necessarily signalling that I'm going to vote in favor of this, but I just wanted to get those points covered.

So any -- let's have some discussion and deliberation and then we can take a vote.

COMMISSIONER HOMIAK: I'd like to know if we find out if this building had code complaints.

I'm trying to look it up on my phone, but I think you can look it up quicker than me.

CHAIRMAN FRYER: How long would that take, Mr. Bosi?

MR. BOSI: I believe Mr. French heard the discussion and there may have been some correspondence that was provided to him.

CHAIRMAN FRYER: So we can hear about that now?

MR. BOSI: I'm not sure.

CHAIRMAN FRYER: Ms. Cook is approaching.

MS. COOK: Good afternoon, Jaime Cook, your director of development review.

There was one code complaint in 2002 that was investigated and there was a code complaint for redoing the parking lot in 2008. That was the only code complaints that growth management staff has

investigated on the property at the North Naples church.

CHAIRMAN FRYER: Those are the only ones of record.

MS. COOK: Yes.

CHAIRMAN FRYER: Does that answer for you?

COMMISSIONER HOMIAK: Thank you.

CHAIRMAN FRYER: Thank you. Other questions or comments?

I think it's about time for us to make up our minds and have a vote.

COMMISSIONER FRY: I'll just weigh in on my deliberation.

As I said, I come from a neighborhood and we have six churches. Some are on the outskirts. Two are on the inside of our neighborhood. One is on a collector road or what was a collector road, the main spine road; the other one is down a small sub street. The one down the small sub street, basically, has become a mega church. It's just grown way beyond its use and so there have been frequent complaints, parking, noise, the nighttime amplified events, events every night of the week, basically, those types of things.

The other churches that are in our neighborhood, and I'll cite to the one that's inside our neighborhood, and it's partly for the residents. I think that after being on this board for three years -- we're volunteers, right? So I come from a neighborhood and I came from a neighborhood board to join this.

We're sensitive to churches in my neighborhood, and the one that's inside our neighborhood is like right in the middle of our main street. It has services maybe Wednesday night, definitely Sunday morning. I've seen zero detrimental impact on traffic from those off-hour events, and I would say the opposite. They've been a great blessing to our neighborhood in that they offer a place for people in our neighborhood to go. We don't all go there. I don't go there, but I don't begrudge other people in my neighborhood from having an additional place to go, as long as they're not detrimental to the peaceful enjoyment of the rest of us, and I can honestly say in this case, they've been beneficial to that. They've been offered us a meeting place. They've had offered events for kids. Frankly, the trunk or treat is a great service to the neighborhood. The living nativity is a great service to the neighborhood. Our board met at that church. They've offered to do anything they could to be a good neighbor to us. We've talked about the people coming from the northeast where there were churches on -- right mixed in residential areas.

We also -- I'll state that, yes, it's not -- it is not consistent with the master plan. Neither is anything else we hear in this board. Everything that comes to us is an amendment to the master plan. We, as volunteers, we have to use our best judgment to decide, well, okay it's not in the master plan, but is it beneficial; is there a need; is it truly detrimental to the neighbors, and in this case, I -- three years, I've never seen a smaller project on this size parcel with greater buffering, with greater restrictions on the activities.

I personally feel -- I'm worried you've hamstrung yourself too much in this case to be able to do what you need do. I'm assuming if you have 100-seat church and you have more than that as you grow and you have more -- you might have multiple services on a Sunday that -- but each one will be limited to 100 seats and within the hours that are stated in the conditions, right?

If you violate those conditions, you now are in, you know, violation of code, and so those code enforcement violations, we'll have a record of them, and you'd be fined and such.

I just -- I don't see any detriment to this church and where it's located. I do not see it would be a traffic impact on the neighbors; I don't see that it would be detrimental to them. I feel like it's a blessing and I would not say that about all churches by a long shot. Many I do not believe belong where they're applied to be. I just don't see a problem with this church, so I plan to vote in support.

CHAIRMAN FRYER: Thank you. Welcome comments.

Vice-chair.

COMMISSIONER HOMIAK: There's just one thing you missed from last time. It's a 5,000 square foot building, so according to the fire code, it can fit 300 people.

COMMISSIONER FRY: I didn't actually miss that; I saw that when I watched it on it, but I guess my

question is, they're limited to 100 seats in the church. It doesn't say they can't have more than 100 people there, but I just don't think that is a material difference that they're going to suddenly negatively impact the neighborhood because they have more people on a Sunday or a Wednesday night. I just don't -- I think that's out of the realm of where traffic is noticeable to the neighbors, or negatively impactful to the neighbor. My opinion.

COMMISSIONER HOMIAK: I don't think it's going to stop growing here at this -- once the Growth Management Plan's been changed, then the door is open.

COMMISSIONER FRY: So can you clarify that point? I think I know where you're going, but --

COMMISSIONER HOMIAK: They are going to expand. All I've heard is how they're just growing and growing and growing and all these things they want to offer. It's not going fit here.

COMMISSIONER FRY: And I don't think they've said that this would meet their long-term needs. I think they said that if it expands, similar to the Naples Park location where we have two code violations in 20 years, that they would pursue another project, so I believe they're --

COMMISSIONER HOMIAK: They could have called the sheriff's department, too.

COMMISSIONER FRY: No. That's very true. If there are any other sources of complaints, I'd love to have that knowledge before voting, but I don't know if that's possible. That was just my opinion. I'm just throwing it out there. I'd love to hear other responses.

CHAIRMAN FRYER: Commissioner Shea.

COMMISSIONER SHEA: Well, I'd love to give you one.

To me the issue is -- gets right down to the plan, and the plan doesn't allow it. We spent a lot of time -- I have nothing against the church and I'm sure it would be a benefit to the community. I don't see the community welcoming it with open arms. I don't -- at some point in time we have to stick to the plan. We spent a lot of time and effort to put a plan together that said maybe more churches should be on the periphery of it, not in the residential area, and to me, I view that as my role as -- unless there's a major overpowering reason to change the plans is to stick with the plan, so I would vote against it.

CHAIRMAN FRYER: Thank you.

COMMISSIONER FRY: And I have to say I think your point is valid. I believe there's two legitimate points of view on this topic, I'm simply expressing mine.

CHAIRMAN FRYER: Commissioner Schmitt.

COMMISSIONER SCHMITT: Yes. I find the church to be compatible with residential zoning. There's nothing that I can find anywhere that says it's not incompatible. The issue here as stated is the GMP amendment to amend the growth management plan. Once the growth management the plan is amended with this public hearing process, which is a process, of course, to provide the community time for input, as well as the applicant. Whether this is approved or not -- if it is approved, then the GMP -- it will be consistent with the GMP, because it is amending the Golden Gate Area Master Plan. And of course, with approval, then it becomes consistent. And I understand the concerns of the community; however, a church to me is not incompatible with residential zoning, though it's identified not to be in this area, but the public hearing process allows for that process to move forward. And with that, I would -- I would support both the recommendation for the GMP amendment and the companion conditional use for approval if we call the vote, and I think this is really an issue that has to go to the Board of County Commissioners for a final decision.

COMMISSIONER VERNON: If I can just jump in and ask a question.

CHAIRMAN FRYER: Go ahead, Commissioner Vernon.

COMMISSIONER VERNON: Are you stating that this will have some precedential (sic) effect next time the church comes to the board.

COMMISSIONER SCHMITT: It has no precedential effect, because conditional use is mutually exclusive. Each one is heard through the public hearing process, just as the amendments are, though it -- it does indicate an opportunity in the future, but it does not mean that it's -- it's a precedence setting and that somebody can come in again and site this for their justification for another request. Each one is a separate public hearing.

COMMISSIONER FRY: To that point, Joe, I think that's a great point. And in my neighborhood having the Naples Senior Center approved as the first, kind of, nonresidential -- it's a community service thing, but it was approved inside of a neighborhood not in the outskirts of the neighborhood, and I would say I do believe there is some precedential basis that the next people may be boyed (phonetic) by the fact that was approved, they go on to the next one.

I believe in this case if you believe churches have no place on the inside of Golden Gate Estates, that, you know, that would be a reason to vote no on this. I have a different opinion. I believe that to think that churches can afford the places where the conditional uses have been specified in the plan by default, one after another with having things -- community service organization cannot afford the property in the places where they're technically supposed to put it, so -- and I happen to believe that churches inside a neighborhood, if they're not detrimental to neighbors are a good thing. So that's where I'm coming from. But I can see the opposite viewpoint that you don't want churches in Golden Gate Estates, you should vote no.

CHAIRMAN FRYER: Commissioner Vernon.

COMMISSIONER VERNON: This, I said last time, this is a close call. It remains a very, very close call.

And just to speak to a couple of points. Even though I think -- and I raised this at the beginning, you guys seem to have your act together and you're probably going to grow more than whether you intend to grow or not.

But my impression, and this is my impression, is they are not a mega church type. That's not their business model. Their business model is to plant small churches elsewhere, not to grow this church as big as they can. So I'm not quite as concerned about that, although I agree, the fire marshal said they can put 300 people in there.

What is changed since the last one, real quickly, just what I went over with you, some supporting signatures; you put further limitations on use; one of your two adjacent neighbors approved.

Public good. It sounds like it will reduce traffic because you're trying to get locals there. That's your whole business model and there's some youth benefit to that, even setting aside the spirituality issue, I think, and Joe said, you know, he considers you compatible and I think I agree with him.

I think I said last time, although it's a really close call, I'd probably vote against it based on what I knew, for the reasons Paul stated. I think now, because it's such a close call, I think I'm going to vote for it, but it is a very close call and, certainly, next time before you buy property, I think you ought to look at this before you buy it.

COMMISSIONER SCHMITT: That is a good recommendation.

CHAIRMAN FRYER: No one else is signalling at this point, so I'll say a word or two, my point of view on this.

I'm not sure I've ever seen any more exacting conditions of a conditional use, so that influences me and, also -- and I was going to use the term business model as well. It may not fit exactly into the charitable not-for-profit 5013C3 context, but I know what Commissioner Vernon means.

I believe the model, the operational model for this church seems to be to get to a certain size and then to build another church. We've talked about the Naples Park, but I think there are several other branches, if you will, or facilities that house this church and so this would be in keeping with what they've done so far; which I think is probably a fairly decent indicator of what they might be doing in the future, so I too am going to be voting in favor of this under these circumstances, and unless anyone else wants to weigh in, I think it will be time to entertain a motion.

COMMISSIONER VERNON: I just want to throw out one more thing.

CHAIRMAN FRYER: Oh, please.

COMMISSIONER VERNON: I'm just trying to make a record.

Another consideration that I'm giving is the staff has approved this, and I didn't want to go without -- that certainly factored into my decision.

CHAIRMAN FRYER: That's a good point.

Commissioner Klucik.

COMMISSIONER KLUCIK: Yes, Mr. Chairman.

I would just like to say that Commissioner Fry and Vernon and Schmitt, I agree with everything they've said, and lest I snatch defeat from the jaws of victory, I'm not going to say much more, which is not really my style, but I'm going to --

COMMISSIONER HOMIAK: You've been quiet today. I'm so impressed. I'm proud of you.

CHAIRMAN FRYER: Your style is evolving before our very eyes.

COMMISSIONER FRY: Robb, you were so quiet at the last meeting when you were on Zoom I was worried about you.

CHAIRMAN FRYER: The chair would entertain a motion at this time.

COMMISSIONER SCHMITT: I'm going to make a motion for approval of PL20190001333, that is the GMP amendment and the companion conditional use PL20190001326.

COMMISSIONER VERNON: Vernon seconds.

CHAIRMAN FRYER: Is that subject to the revisions?

COMMISSIONER SCHMITT: Subject to the revisions as posted today. I do know they're very restrictive and, for the community, I would say that if they violate, the action is to inform your commissioner and code enforcement, so with those stipulations and the revised restrictions, I recommend approval.

COMMISSIONER VERNON: As a second, if I can amend it, I think the chairman made two further restrictions which they said they'd agree to. That's included in your motion?

CHAIRMAN FRYER: They're included in your motion?

COMMISSIONER SCHMITT: They're included in the second.

COMMISSIONER VERNON: The second.

CHAIRMAN FRYER: Any further discussion?

COMMISSIONER FRY: I think one item really is that I guess I just want on the record. I guess I'm not sure why 2C is there, no outdoor services or activities. You have restricted the use of outdoor amplification, which I think is a noise issue for the neighbors. I'll just tell you that the churches I know that have done outside activities, they've been a blessing to the neighborhood if not they're not intrusive to the neighbors, so to me that's overkill, but I'm not sure -- I did not -- was not here at the other meeting. I don't know what the specific concerns that led to that offering. I find that unneeded for my approval, but --

CHAIRMAN FRYER: Any other comments? If not, it's been moved and seconded to approve the small scale growth management plan amendment and the companion conditional use, subject to the conditions that were revised and put before us today and further subject to the two requests changes that I asked for, and were approved and agreed to by the applicant.

All those in favor please say aye.

COMMISSIONER FRY: Aye.

CHAIRMAN FRYER: Aye.

COMMISSIONER SCHMITT: Aye.

COMMISSIONER VERNON: Aye.

COMMISSIONER KLUCIK: Aye.

CHAIRMAN FRYER: Opposed.

COMMISSIONER SHEA: Aye.

COMMISSIONER HOMIAK: Aye.

CHAIRMAN FRYER: All right. It passes five to two.

Thank you very much. Thank you applicant and thank you members of the community.

We need to talk about that, where we go.

Planning Commission, it's ten minutes of 1:00. I had this fantasy this morning that we'd be able to get out of here by 1:30. I'm not sure that that's going to happen. But the -- but the question -- I saw David Weeks's presentation to the Naples City Council and it's fairly short, but it may invite questions and it could last longer than ten or 15 minutes. So I think -- what we need to consider is we need to take at least a five-or-ten-minute break if we're not going to have lunch.

So is that the wish of the commission, plow forward and then we'll have lunch at our own time afterwards?

MR. BOSI: Yes.

CHAIRMAN FRYER: Okay. That's what we'll do. We'll stand in recess now until 1:00 p.m. That's nine minutes.

(Whereupon, a recess commenced.)

CHAIRMAN FRYER: This takes us -- we had an item of old business, 10A.

MR. BOSI: Correct, as we discussed, the November 18th hearing is the hearing where we are going to have Bayshore LEC amendments and there are some use changes, so therefore, it requires a 5:05 hearing.

There are two other items both related to the Bayshore Density Pool GMP amendment and then LDC amendment. Those are not restricted to 5:05. We can hear those before. My suggestion is we have a start time of 2:00 o'clock. We may not need that full three hours, but it would -- the time we needed, we could take a break until 5:05, get something to eat or whatever the case may be if we don't utilize the whole time and then we can go straight to the 5:05 matters.

There was also another petition, there was a CCME related to sea level rise. We are proposing, and this would be part of the discussion, I believe, that Ned wanted to have with the Planning Commission, to move that item to December 2nd to allow for Dr. Savarese to have -- and Judith Hutchins (phonetic) to have a presentation on ACUNE sea level rise model prior to the Planning Commission hearing the item related to the CCME amendments on the 2nd, so I just wanted to provide the agreement that a 2:00 o'clock start time on the 18th with two petitions that can be heard before the 5:05 time and then one petition that would need to be heard at the 5:05 time.

CHAIRMAN FRYER: Thank you.

Commissioner Schmitt.

COMMISSIONER SCHMITT: The model we're going to hear, is that -- that is privately developed model? Now, I understand, but is this a model they're trying to sell to the county, or is this a -- something that is -- I'm trying to understand what the purpose of the -- I understand the purpose of the presentation, let me be clear about that. But the model itself, is that something that they've developed independently and they're looking for the county to use it under some kind of a financial agreement or be compensated by the county?

MR. BOSI: And I was -- it was Commissioner Fryer who had the interaction with Ms. Hutchins. I'm not sure what the intent was. That could be the case. One of the things that we are going to have to do is develop resiliency plans related to CCME amendment to the direction that's provided for us to deal with sea level rise. Utilizing a model would be one of the factors that would go into that development of that plan.

We don't -- we're not going to suggest that we specify a model in the GMP amendment; we'll develop those plans after the adoption, so I'm not quite sure the extent other than maybe informational. I'm not sure if Mr. Fryer wanted to co-chair.

CHAIRMAN FRYER: Yes. Let me, if I may, comment on that.

I've had some -- this is going to be 11C, but let's just wrap it in and talk about it at the same time.

This is ACUNE, and they have a model and a computer program that helps identify where trouble spots are likely to occur from the standpoint of water. And they are also, I believe, wanting to be engaged by the county to provide services, and in the latter case, of course, that's -- that's a role for county management. That's not something that the Planning Commission would do, but we may decide to make a recommendation and we may not.

But I have seen this presentation from ACUNE and I have reason to believe that Commissioner Shea has also seen it. Commissioner Schmitt, I know, whether you've seen it or not, you're familiar with those issues --

COMMISSIONER SCHMITT: Yes.

CHAIRMAN FRYER: -- and I would recommend that we hear from them on December 2nd and that we give them placement at the top of the agenda, because Professor Savarese has to break away and

teach a class.

COMMISSIONER SCHMITT: How does that model relate to the initiative? Because I spoke with the professor. How does that model relate to the ongoing issue with the county and the U.S. Army Corps of Engineers study, the coastal study? Because that was part of the issue of the study itself, which, as you know, when they made the presentation to the Board of County Commissioners, the study will be completed and forwarded. Whether the county enters into an agreement to become the nonfederal sponsor is a different issue, but I believe this study was trying to promote an alternative approach, which is fine, a less obtrusive design or whatever, but I'm just kind of puzzled, other than information, which I think is -- I would love to see the model; I have no qualms about that. I just don't understand -- is there going to be any type of expectations of us to --

CHAIRMAN FRYER: No. I don't think so. I've tried to make it clear that this is informational only. The conservancy -- rather, the League of Women Voters and Florida Gulf Coast University are sort of co-sponsoring this presentation. And I think it's worth seeing. I was enlightened by it. Commissioner Shea, your thoughts.

COMMISSIONER SHEA: I guess all we have to go by right now is any kind of FEMA modeling you would know better. This is a much, much, much more sophisticated model that takes into account all kinds of different things that would affect flooding, whether it's internal, whether it's surge, whether it's extensive rainfall, and it's been demonstrated and supposedly calibrated against some of the previous storms, and the idea is that they would like the county, at least here, to consider using it versus some of the older FEMA less localized. That's what they're after, I think.

COMMISSIONER SCHMITT: But the FEMA model, the data are what drive the maps, the flood maps. And then we, many years ago, hired a consultant as we disputed those maps. That went on for years. And I don't know, Jamie would probably have to clarify, but I think we're at like the third or fourth edition of that now. But we then have to go back to FEMA and convince FEMA to use the model to change their maps at our cost, of course. Just as we did with Tomasello Engineering. We went out and gathered the data and went back to FEMA and told them their data was not accurate and to use the data that we provided.

Jamie.

MR. FRENCH: For the record, Jamie French, deputy department head for growth management in the community development side of the house.

I am -- Commissioner Shea, I'm a certified flood plan manager myself and I head the organization with regards to all of the flood plan determinations, what are the letter of map amendments, the letter of map revisions. Those are all done through our office. In fact, we've done better than probably ten or 12,000 of those for the citizens of Collier County at no charge. So we've helped people get out of flood zones, because those determinations that came forward to the county, we were able to work with local surveyors to make a determination that they were incorrect.

Maps are updated on a regular basis and that's done through the federal agencies, typically through a third-party contractor. Could be AECOM or Michael Brown, and then they go through a series of review, public meetings and then we still use Tomasello and Associates as our third-party review engineering firm to affirm or to dispute those maps, and those are typically done within basins. We currently, as Commissioner Schmitt said, back under his leadership at the time, we still have some of those challenges ongoing better than ten years.

COMMISSIONER SHEA: If you basically are looking at historical data, I think the idea here is how do you superimpose sea level rise, getting a five-day rain storm like Houston had that just dumped rain for five days, all those different conditions and you're not actually using a model here, you're using historical data.

MR. FRENCH: I believe what you're referring to is predictive modeling. And predictive modeling's a great tool when you're preparing for a storm or when you're planning into the future, there's that's doubt that as we look at our long-range planning, that we shouldn't take those into consideration; however, we would only ask what's the legal sufficiency of those models, because that's how we make decisions and we would defer to the county attorney's office and the great legal counsel that they

provide, but those are adopted by the federal registry, by our Congress, and those are the models we work off. That's best available data adopted at a federal level.

COMMISSIONER SHEA: I'm not promoting this, believe me. I'm just --

MR. FRENCH: Yes, sir. But for making land use determinations perhaps in the future, we would not -- we encourage it and -- because we certainly want to be great stewards of not just our environment, but of our community and future growth. But as far as that minimum code that we spoke about before, State of Florida is very clear they are a minimum code state, so here are the minimum requirements both within our development standards or within our building standards. And the Florida Building Code, the community rating system or your floodplain considerations that go into developing and construction, they were adopted back in the 2017 Florida Building Code. That's where it's -- that's actually where the enforcement provisions are for local government is in the building code it's the building official's responsibility.

COMMISSIONER SHEA: Have you seen the model? They talk like they've spoken to somebody in the county --

MR. FRENCH: We've participated with Dr. Savarese and Dr. Cheng (phonetic) for some time now. In fact, Howard Crisfield (phonetic) is a professional engineer within our organization, as well as Chris Mason that head up or flood plan group. They participated since the start, as they started to kind of accumulate stakeholders and invite us into meetings, so we've provided them with a great deal, and I mean a great deal of light imaging detecting information, because we were one of the few counties that actually took the latest state flown Lidar and we got it down to just about three feet where we could zoom into it and we could actually see where water lies during wet season and where -- so you talk about predictability where water would go during storms. So we work very closely with them. Yes, sir.

CHAIRMAN FRYER: So I think what's before us is to decide whether we want to hear from the League and Florida Gulf Coast University. They say that the presentation would be about 45 minutes, and I mean depending upon the number and complexity of questions that are asked, if any. I don't think there's any expectation that we would take any action at all. It's just to be informed as to the product that they have.

COMMISSIONER SHEA: It is informative. I think the challenge is going to be is the codification of it; what do you do with it. So you've got this model and say everybody does buy into it and believe it, which is going to be a big hurdle to begin with, and then how codify it? What do you do with it?

CHAIRMAN FRYER: Actually, I guess we've got two things in front of us. First of all, we've got to decide on November 18th, 2:00 o'clock start and then come back at 5:05.

Does that sound right to everybody?

COMMISSIONER HOMIAK: Yes.

CHAIRMAN FRYER: Okay. Good.

Then the ACUNE proposal as we have outlined it. Does that sound worthwhile to the Planning Commission?

COMMISSIONER SHEA: Can I -- I think it is worthwhile even if we don't do it in a formal meeting, that individuals see it, because we're going to see more with this resiliency going -- we, as a group, need to be more familiar with what's going on with sea level rise issues in the county, because it's going to start coming before us. I think the model points out some things and it helps educate us.

CHAIRMAN FRYER: Anybody have a different viewpoint.

COMMISSIONER VERNON: I'd like to see the presentation, but I won't be here that day.

COMMISSIONER SCHMITT: That will be in December.

COMMISSIONER VERNON: Oh, I'm sorry. I thought you said November.

CHAIRMAN FRYER: December 2nd for ACUNE.

COMMISSIONER VERNON: I'd like to see it.

COMMISSIONER FRY: I'd like to see it, also.

CHAIRMAN FRYER: Sounds like we have a consensus that that's what we'd like to do, and as a courtesy of Dr. Savarese, we would schedule it first out of the box that day.

COMMISSIONER KLUCIK: Mr. Chairman.

CHAIRMAN FRYER: Yes, Commissioner Klucik.

COMMISSIONER KLUCIK: I would only hope that we could put a cap on it even if we have --

CHAIRMAN FRYER: We can certainly do that. We can --

COMMISSIONER KLUCIK: Now while we're sober, if we can put a cap on it so that it doesn't, you know --

CHAIRMAN FRYER: Well, why don't we --

COMMISSIONER KLUCIK: -- take up too much of our time.

CHAIRMAN FRYER: She said 45 minutes to an hour. Why don't we say an hour, but of course, if we as a Planning Commission want to grant more time, we can at the time.

COMMISSIONER SHEA: I would give them 45 minutes and put an hour on our agenda so we have 15 minutes for questions or for them for running over.

CHAIRMAN FRYER: All right. That's what we'll do. Okay, Mike? Thanks. Nothing further on that.

We go to election of officers. And just to set the stage Collier County Ordinance Number 2009-29 Section 1 as amended provides that the Planning Commissioner officers' term shall be, quote, for one year with eligibility for reelection, unquote, and we typically go through this process every October. So here we are.

Having said that, nominations are now open.

COMMISSIONER FRY: Mr. Chairman, I'd liked to nominate reelection of the current slate of officers, which I believe is a tradition that the secretary make that motion.

CHAIRMAN FRYER: Thank you, sir.

COMMISSIONER SHEA: Second.

CHAIRMAN FRYER: Any further nomination?

COMMISSIONER VERNON: Third.

MR. EASTMAN: We have a fourth.

CHAIRMAN FRYER: Thank you. So we'll close nominations and then we'll have a vote.

All those in favor of reelecting the incumbents to their respective officerships, please say aye.

COMMISSIONER SHEA: Aye.

COMMISSIONER VERNON: Aye.

COMMISSIONER FRY: Aye.

CHAIRMAN FRYER: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER SCHMITT: Aye.

COMMISSIONER KLUCIK: Aye.

CHAIRMAN FRYER: Opposed?

(No response.)

CHAIRMAN FRYER: Carried unanimously.

From my perspective, I want to thank the planning commission very much for your vote of confidence and pledge to you that I will continue to try to do my level best in service of you. You're a great Planning Commission. Thank you very much. All right.

That takes us to the redistricting presentation, which I had the privilege of watching our old friend, Mr. Weeks, provide to the Naples City Council. It's a good one, and it was relatively short; very informative and welcome, Mr. Weeks.

MR. WEEKS: Thank you.

COMMISSIONER SCHMITT: Welcome back, David. Are you a new employee?

MR. WEEKS: I am David Weeks. I am a certified land use planner. I have 35 years of planning and zoning experience, almost all of that in and for Collier County. I am the redistricting project manager for the County Commissioner and also the school board, because they have agreed to have coterminous boundaries.

This is a team project. I'm certainly not doing this on my own. The assistants include Mr. Tom

Eastman and other members of the Collier County School Board staff. Johnson Engineering, also is a contracted firm with the county. The supervisor of elections office only providing technical information. They are not involved in the map drawing process. And the finally, the GIS staff at the county's growth management department.

I also held this title for project manager for redistricting for 2011 and 2001 and Mr. Eastman, also, was part of the team in 2011.

With that, I'll move right into the presentation, and I'll tell you, it's about seven or eight minutes, so it's not lengthy. I certainly want to be respectful of your time.

So what is redistricting? Simply put, it's redrawing, in this case, the County Commission district boundaries for the purposes of correcting a population imbalance. It is something that is required by the Florida Constitution. It has to occur after each decennial census. Of course, we had the 2020 census just last year, and Florida Statutes allows for redistricting every odd numbered year, so we can go through this process as many as five times per decade if we so chose.

Why do we need to redistrict? This chart helps to show that. The green bar represents what we call the ideal population. If we take the county population of 375,752 persons and equally distribute that amongst the five districts, we would get 75,150 persons per district.

The gold colored bar, however, represents the actual population in each of the districts, thereby -- it shows us the imbalance that has occurred. By way of example, District 4 grew from 2010 to 2020 by 5.9 percent. That includes the City of Naples area. And District 5, which includes the Immokalee area, grew by 29.9 percent. Significant imbalance has resulted.

This slide again is showing the population imbalance. If you look at the far right column in red, that is showing the actual number of population individuals that we need to shift to achieve the ideal population. However, the ideal population is not a requirement. We are, generally, allowed to deviate by up to ten percent, meaning up to five percent above and below that ideal population. I would note specifically here that District 1 is the only district that, based on population alone, could remain untouched.

This is the map of the existing County Commission districts. And based upon the previous two slides, we see that Districts 2 and 4 need to expand; they need to gain population, districts 3 and 5, need to contract or lose population. And again, District 1 could theoretically remain as is.

COMMISSIONER KLUCIK: Mr. Chairman.

CHAIRMAN FRYER: Yes, Commissioner Klucik.

COMMISSIONER KLUCIK: Could you just -- the tan squares, what's the distinction?

MR. WEEKS: The tan colored here is Golden Gate Estates subdivision, and when we get to the criteria, I'm going to explain why that's relevant.

CHAIRMAN FRYER: Urban and rural together?

MR. WEEKS: Yes. That's entirety of the Golden Gate Estates, including the south block below I-75 that's now owned by the State of Florida. That's the original Golden Gate Estates subdivision.

COMMISSIONER SCHMITT: Just for clarity, south of I-75 is now federal land.

MR. WEEKS: It's state land. State of Florida.

COMMISSIONER SCHMITT: State land not eligible for development.

MR. WEEKS: Correct.

And you see on here five stars and five dots, those represent the residences of the existing County Commissioners and school board members. And on the next -- I think on the next slide I'll explain why that's relevant. So on June 22nd of this year the County Commissioner approved the redistricting criteria. They directed staff to initiate redistricting process and to draw at least three different map versions for consideration.

And you can see criteria number three says keep the incumbent, both commissioners and school board members in their present district. So that previous slide that showed the map of their locations, when we draw the proposed maps for the board's consideration, we have to make sure that each of those ten members remain within their existing district.

And here's the second group of four criteria, again, for a total of eight. The criteria number three

regarding incumbency is strictly a local decision. It is not a constitutional or statutory requirement in the State of Florida.

CHAIRMAN FRYER: Mr. Weeks, do you want us to wait until you finish for questions or --

MR. WEEKS: I don't mind interrupting me any time, sir.

CHAIRMAN FRYER: All right. I can understand in the case of the elected County Commissioners who run and are elected by their districts, District 4 commissioners are elected by District 4 voters, but I don't think that's the case, is it, with the school district.

MR. WEEKS: It is not.

CHAIRMAN FRYER: So they run at large and to me, and maybe I'm just not seeing it clearly, but to me it makes less sense for them to be treated the same way as the folks who have to run within their district and subject themselves to the votes of that district only.

MR. WEEKS: Well, interesting enough, I received a phone call from someone who is interested in running for the school board and they very much had concerns about the redistricting process and what would happen with, in their case, their specific residence, because they live in one district now, but under the proposed map alternatives, at least some of those, they would end up in a different district, and they were -- they were very much concerned about that.

CHAIRMAN FRYER: These rules were set down by the BCC.

MR. WEEKS: That's correct.

And these are the same criteria that the board approved for 2011 redistricting as well. We just carried those forward.

CHAIRMAN FRYER: Makes your job more complicated, the fact that the elected officials both of the county government and the school district are sort of clustered on the western side of their respective districts. They don't live too far from one another, and it must have made it especially challenging for you and your colleagues.

MR. WEEKS: We definitely had some challenges this time. Yes, sir. Let's see.

Actually, I want to make a comment about criteria number one here about retrogressive effect. So even though Collier County does not have a majority minority district; that is, there's no County Commission district in which the majority, numerical, population is of a minority group. That does not exist. But nonetheless, staff had recommended to the commission and they continued to adopt this criteria.

Now, District 5, again including the Immokalee area, that is the district by far with the largest minority population and by far, the largest minority population in Collier County is the Hispanic or Latino ethnic group.

There is a built-in tension between these A criteria. In my view, it's probably impossible to equally satisfy all of those criteria. For example, we could draw the maps to be doggone close to being the ideal population evenly divided, but I believe it would be at the expense of one or more of the other criteria, such as following major boundaries, or maintaining a compact regular shape of the districts or not dividing communities of interest, such as Golden Gate Estates. And was referenced earlier, Golden Gate Estates was shown on that map and the reason for that is because the County Commission did approve a criteria that says try not to divide communities of interest such as Golden Gate Estates, so they specifically called that out.

CHAIRMAN FRYER: Mr. Weeks, one other thing that's relevant to the point you just made. I am looking at map number four. And in map number four, the Urban Estates, some of that would be seated to the Fourth District, which would, in effect, break up the Urban Estates into being represented by more than one district.

MR. WEEKS: Mr. Chairman, if I may, a couple comments.

First of all, you made reference to a proposed map. I don't believe the other commissioners have seen it unless they did that on their own accord.

CHAIRMAN FRYER: Well, it's a matter of public record.

MR. WEEKS: Absolutely. No. No. I just wanted to get on the record. Some of the other commissioners might be wondering what are you talking about.

The proposed maps have, in fact, been drawn. Board said a minimum of three. We actually drew five. Those are available on the county's website, so they're available for public viewing, as well as some associated population data.

CHAIRMAN FRYER: Would you make a comment on my observation?

MR. WEEKS: Oh, yes. Yes.

So one of the criteria the board adopted was try not to divide Golden Gate Estates. Well, as a point of fact, right now it's divided amongst four districts. I believe what the commissioners were referring to what's east of Collier Boulevard, so the rural estates.

CHAIRMAN FRYER: And this is west of Collier that we're talking about.

MR. WEEKS: Right. So west of Collier, the Estates is already divided amongst three districts. So that -- so to speak, that ship has sailed. It's already occurred. But some map versions may reduce that down, for example, to two districts.

CHAIRMAN FRYER: I --

MR. WEEKS: Yes, sir.

CHAIRMAN FRYER: Maybe I'm -- this is kind of a complicated map to read; they all are, but I mean, it's a complicated subject.

It looks to me as though the Urban Estates fell almost completely in the third district with a little sliver going not fourth and now the fourth is going to get a bigger silver.

COMMISSIONER KLUCIK: Can you put the map up on the screen?

MR. WEEKS: Is that map four?

CHAIRMAN FRYER: Four. Uh-huh.

I realize none of these are being recommended; they're just being put out there for consideration by the BCC, but in this case a segment of the Urban Estates, that is to say, east of I-75, would be seated to the Fourth District. I realize the Fourth District need to acquire more numbers, and you can't get is a perfect solution that matches all the criteria, but I just wanted to point out that this particular one would be a compromising or loosening, if you will, of that objective which is to keep -- keep neighborhoods and units like, in this case, Golden Gate City together.

MR. WEEKS: Right. And Mr. Chairman, I'll reiterate my opinion, and that is that the board's focus was on east of Collier Boulevard, because it was known that the population shift was going to require moving districts, at least District 3, possibly District 1 further to the east and possibly impacting Golden Gate Estates.

CHAIRMAN FRYER: Okay. I understand now. So the concern was not to avoid, at all costs, the splitting of the Urban Estates west of Collier.

MR. WEEKS: I do not believe so.

CHAIRMAN FRYER: Okay. Thank you.

MR. EASTMAN: Also, I think that map, of all the maps that were drawn, deyonces (phonetic) the five districts to the closest number, if I'm not mistaken.

MR. WEEKS: That's correct.

MR. EASTMAN: Which is another and, actually, the lead criteria.

MR. WEEKS: Again, that balancing act. So if you take the time to look at the different map alternatives, you will see some where the population is closer to the equity or ideal, some that are farther.

You'll see some that have shapes of the districts more compact, some less compact or regularly shaped or irregularly shaped. You'll see some that do and some that don't divide Golden Gate Estates east of Collier Boulevard. Again, the staff and the team in drawing these maps were taking all eight criteria -- really six in the map drawing process, criteria into account as we're drawing, and so there's going to be some plusses and minuses if you were to go down is a checklist of the criteria. The idea is to provide the board with multiple options to consider.

CHAIRMAN FRYER: If I may, I think it's -- I'm having trouble calling it up now, but I believe it's map five has the boundary of District 4, the southwestern boundary of District 4 extending down into an area that I didn't think was very populated. Would that really -- is that going to accomplish the

objectives of adding more population to the fourth.

MR. WEEKS: You're correct. It's District 5, it pushes District 1 boundary all the way down to the Broward and the Miami-Dade County lines. And no. It has minimal population growth. If you take Everglades City, Chokoloskee, Plantation Island, Copeland, all that area out to the county line, maybe 1,000.

CHAIRMAN FRYER: I'm talking about the portion of the fourth, the southwestern extension of the fourth on map five, I believe it goes down to pick up a lot of area that I think is -- thought was largely uninhabited.

COMMISSIONER HOMIAK: No. There's Isles of Collier, Treviso Bay.

CHAIRMAN FRYER: Is Isles of Collier picked up in there?

COMMISSIONER HOMIAK: In that map you're looking at?

MR. WEEKS: This is map five.

CHAIRMAN FRYER: You're more familiar with that area.

What would you say the population is, just out of curiosity?

COMMISSIONER SCHMITT: It's all Isles of Collier.

COMMISSIONER HOMIAK: There's other subdivisions in there.

CHAIRMAN FRYER: I looked at Google Earth and it just didn't strike me as being very populous, but you guys are more familiar with it.

COMMISSIONER HOMIAK: It's very populated now.

MR. WEEKS: Back to the power point. The Voting Rights Act of 1965 prohibits purposeful discrimination and protects against what we call retrogression or the backsliding in the ability of a racial or language minority to elect its representatives of choice.

And section two of the Voting Rights Act prohibits denial or abridgement of the right to vote based on race, color or minority language status, including the opportunity to participate in the political process and elect representatives of their choice.

Section two, further forbids creating election districts that improperly dilute minorities' voting power. And there's a couple of different tactics that are used to do that, to dilute the minority voting population.

One is called cracking. That would be to take a district that has a minority population that's in the majority and dividing that district so that you put a lower number of that minority population in two respective districts.

The opposite is called packing. It's cramming, so you might have two districts that currently have a majority population. You put most of that population into a single district, so they go from having theoretical control of electing a candidate in two districts down to one.

CHAIRMAN FRYER: Both political parties have been guilty of those over the centuries.

COMMISSIONER SCHMITT: No.

CHAIRMAN FRYER: Yes.

MR. WEEKS: Now, I would point out something about the minority populations in Collier County. Some of the criteria here as to whether, in this case, Collier County should have drawn a district that would have a majority minority population. That could be accomplished. We can take parts of District 5, particularly the Immokalee area, which has the highest concentration of the Hispanic minority, we could have added Golden Gate City to that, so it could be done to achieve that minority majority.

But from a Supreme Court case, there's three conditions that need to be met first of all. And then there's more to it than that, but to start with, one of those includes having a cohesive minority population from the standpoint of voting, and I don't think we have a slide on this power point, but there's a -- we have one that show that the Hispanic population is divided almost evenly between the republic, democratic and no party affiliation in Collier County, so there's clearly is no cohesiveness. I'm getting close to the end.

Here's the timeline of the redistricting process. Because of the late release of census data this year, August instead of around March or so, roughly five months later, it's very much a compressed

schedule.

Starting next month, November, we're going to have five public meetings. Here they are. One in each of the County Commission districts. All evening meetings. All open to the public regardless of where you reside. This is not intended to segregate the population by district. So for example, if you live in District 4 and want to attend the District 2 meeting, you're welcome to do so.

At each of these meetings, staff will give a presentation including some of the information here before you today, but a lot more, and it will include walking through each of the five proposed map alternatives, and some of the population data that correlates with these maps.

Wearing of masks at these public meetings are not required, but they are encouraged.

Finally, here's my contact information. If people want more information, they can contact me through e-mail.

Again, the website has the five map alternatives and associated data and we'll continue to be adding more data as we create it.

Thank you for your time and I'll be glad to answer any further questions.

CHAIRMAN FRYER: Thank you.

Commissioner Fry.

COMMISSIONER FRY: David, so you have these public meetings, the public gets to see the five maps.

Historically, how much input or how much impact does public feedback to the commissioners after that -- those public meetings do they have on deciding which map is selected? Does the public have a lot of weight in this? Do they have a lot of input that they provide?

MR. WEEKS: Of course it's impossible for me to read the commissioners minds, if you will, but I will tell you by way of example that in 2011 there was one map version that was overwhelmingly disliked. I mean, probably 90 something percent of the public comments I received were, I don't like map so and so. And I can tell you when we got to the County Commission hearing, as we started this agenda item, the very first thing that was said by one of the commissioners was, I think we need to eliminate map so and so from consideration, and the board members all agreed to it and then focused on something else. So the short answer, I believe it does have some impact. I believe the commissioners do listen.

CHAIRMAN FRYER: Mr. Eastman.

MR. EASTMAN: David, just for everyone's clarification, the board of County Commissioners is not limited to selecting one of these five maps. They can, in the open public meeting, change the map and do what they want.

MR. WEEKS: Yes. Let me start with one extreme. One extreme would be the commissioners could say go back to the drawing board. Well, officially, they could do so. They have the legal authority to do that, but we are mandated by state law to adopt a new map this calendar year. The board's meeting is on December 14th, so that, as practical matter, there's just not time to accomplish that.

But could the board look at those five maps and say, we really like map so and so, but we'd like to tweak it a little bit, can we make a shift here and there. Yes, they can and, in fact, they did that in 2011. It's really time constraint, and so we're going to make the effort to have this scheduled very early on the commission's agenda so that should the commission want to make some adjustments, that there is time for the team to go back and try to tweak the map and see if the numbers will still work.

COMMISSIONER FRY: I wanted to ask Mr. Eastman, are you an official representative of the school board on the redistricting board.

MR. EASTMAN: Yes.

COMMISSIONER FRY: Okay. And what is the school district's position and, I guess, what input does the school district have and what impacts do you feel from the redistricting process?

MR. EASTMAN: The school district is greatly appreciative of the county for taking on this project. The county has put far more resources in terms of staff, and money, and time and effort, and if the county wasn't doing that, the school -- and the school district couldn't participate in that project, the

school district would have to do that all on its own. So we're very appreciative of the county and working in conjunction with the county and the supervisors of elections to get the job done and comply with the law. So we're part of the team that draws the various alternative maps that the BCC will discuss, and, also, our board will be, by resolution, reviewing, adopting and approving, hopefully, what the BCC does. And the reason that we would like to have co-terminus boundaries is that administratively, it's a savings for the supervisors of elections in terms of administering elections which also results in a savings to the taxpayer and it just makes things cleaner, easier, more efficient. So we've enjoyed working with the county over the years. They've been respectful of us; we've been respectful of them, and we see it as an efficient way to operate.

COMMISSIONER SHEA: So could you end up just as they're working on the commissioners and the board members to try and keep them in the area; you could be having schools move from one area to another as well, right?

MR. EASTMAN: Yes. And that does happen, and I think it's almost guaranteed to happen that particular elementary school X or whatever, can move from one district to another. That does happen. This, largely, is a mandate by statute and it -- for democratic reasons and it makes good sense when you think about it. It's just -- and really, the -- the county's leadership in this area has been great.

CHAIRMAN FRYER: Lower case D on democratic.

MR. EASTMAN: Lower case D.

Yes. And it's from -- from participation in this is, it's apolitical. It becomes like a math puzzle or whatever, given the criteria, and you stick to the criteria and produce the maps.

MR. WEEKS: Mr. Chairman, if I could ask Mr. Eastman.

CHAIRMAN FRYER: Please.

MR. WEEKS: The school board member district boundaries, wherever they're located, however they get changed, that has no impact on your school zoning bill; is that correct?

MR. EASTMAN: Absolutely. This is an entirely different exercise from, you know, school attendance boundaries. They're completely separate projects. You do use GIAS to accomplish these projects, which is a wonderful tool. There's similar factors to consider like not dividing neighborhoods. It would be kind of goofy to have two neighbors in the same neighborhood having them go to different middle schools or having them have different County Commissioners when they want to talk about a flood issue. So, you know -- and a lot of common sense is what really drives this process.

CHAIRMAN FRYER: Commissioner Schmitt.

COMMISSIONER SCHMITT: David, one question on the mechanics. Are the GAS tools you have today powerful enough to data mine and to go into various layers of data to almost instantaneously, if they decide to, you know, push a boundary left or right, to capture the needed data, the balance -- to show the balance or do you have to go back if they want to change something, I don't know, move it two miles east of Collier County -- Collier Boulevard, is that another two-day process to try and do all the mathematical computations to present a solution?

MR. WEEKS: No. It's very quick. The GIS has the population layer right down to the census block level in just a matter of seconds or minutes.

COMMISSIONER SCHMITT: Does it also have all the data ethnicity and -- you also have to have the registered voter's political party? Is that involved as well?

MR. WEEKS: That is not, but the redistricting itself is done -- the actual proposed boundaries is based on total population. But when we examine analyze for retrogressive impacts to the minority population, we use voting age population. That information of total population, voting age, race, ethnicity, that's all within that GIS and it's really fast.

COMMISSIONER SCHMITT: Political party as well?

MR. WEEKS: No. That is not part of the data.

COMMISSIONER SCHMITT: Not relevant.

MR. WEEKS: It's not relevant. Now, the elections office, of course, would have that information, but the GIS information that we use for the map drawing over in growth management department does

not.

CHAIRMAN FRYER: Commissioner Fry.

COMMISSIONER FRY: So this is not a substantial question; it's more along of a personal update.

First of all, what is going on with your tie? I'm trying to figure out what -- what are we seeing there?

MR. WEEKS: I think those are jaguars.

CHAIRMAN FRYER: All right. Thank you.

COMMISSIONER FRY: And then, like when Mr. Bosi left, it was rather disappointing, it was a loss for the county when you left. We see you standing here today. I believe your -- you've come back to run this redistrict thing.

Are you doing any other work with Collier County these days?

MR. WEEKS: This probably takes up 97 or eight percent of my time and almost all of it. That was -- in my view, that was the chief reason for me being here. I'm also -- the plan here is that once redistricting is finished, and that will be in December, that I'll then take on a mentorship role.

COMMISSIONER FRY: Very nice.

CHAIRMAN FRYER: The county is very lucky.

COMMISSIONER FRY: Mr. Bosi.

MR. BOSI: Not to personally elevate myself, but one of the things that brought me back was discussions with the current county manager when he was talking about the restructuring, and one of the things that he told me that attracted me back to the position was Mr. French was going to come back and lead growth management, and that's something that I was very pleased with and obviously, it was something that, you know, allowed itself.

And when I first met with Jamie after having -- and agreeing Mr. Isaacson to come back, I said one of the first things that I need, though, is I know we have the redistricting project coming back and so if I'm coming back, we're going to have to bring David back to bring the expertise and the professionalism and just the experience that he brings. So not only did I bring Mr. French back but Mr. Weeks.

COMMISSIONER SCHMITT: David, mark on your calendar ten years from now, after serving time as planning commissioner, you can come back.

MR. EASTMAN: David, how many more redistrictings do think you have in you?

MR. WEEKS: Might depend on the advancement of walker --

CHAIRMAN FRYER: Mr. French, did you wish to be heard, sir?

MR. FRENCH: Very quickly. Thank you, Mr. Chairman. Jamie French, the reassigned deputy department head for growth management.

Proud to be here. Yeah. I do blame Mike for this. But happy to be back amongst -- not just serving the community, and I know I refer to the industry as customer or as a partner, because we do have a statutory ability or we have a requirement to serve them, but we focus on good customer service, clearly, and communication, but also, you. This is a volunteer board, and we couldn't be more proud to have David back.

And one of the things that we do, we look at -- you know, attrition is part of life. You think about it in your business life, where you've worked and how long you were there and any organization you may have worked with someone, but it's that -- it's that institutional knowledge, that attrition of institutional knowledge that I think sometimes by many organizations, that gets overlooked. And by -- and so you know, David and I worked on a plan before I have left the first time, and unfortunately, because of the rules of the Florida retirement system, David had to take a bit of a hiatus, but no sooner that I got back and got my feet underneath me and we got caught up on a lot of work, David was one of the first calls we made, and so we went back to the plan and the plan worked.

But yes, sir, in the future -- and these are all great questions, but the intention is if David would have us, and we're not proposing at this point, but we'd certainly love to have David as long as he's willing to stay, because I was introduced to this, and working with David on this redistricting project, I was part of the team back in 2011 and I knew it was above me when it came back up, so I just wanted to compliment staff, and compliment you and really all your comments and the participation of the

community and the leadership that we've been given, so really appreciate it, appreciate really good comments and ask a lot of questions on these maps, because we're asking them internally as well, so thank you for that. And certainly, back at the house I like to say thanks to the staff, because it's really a wonderful team that I get to work with every day and I'm really blessed to be there.

CHAIRMAN FRYER: Thank you very much. I think I can speak on behalf of the Planning Commission to express a word of sincere thanks and admiration on our part for all of the staff members that we have the privilege of working with regularly. We're very, very fortunate. And institutional knowledge is so important; expertise is so important, and just companion ability is important. And we feel like we have all of that with your excellent staff, so thanks to all.

Let's see. Mr. Weeks, did you have anything further, sir?

MR. WEEKS: No.

CHAIRMAN FRYER: Okay. Thank you. Then we'll call for public comment here.

Does any member of the Planning Commission wish to be heard before we see if any member of the public? I see there are a couple people still here. If not?

Any member of the public wish to be heard on this matter? Apparently not. Thank you.

Thank you very much for that very informative presentation, Mr. Weeks, and it's great to see you again.

That takes us to agenda item number 12, which is, once again, public comment on any matter that has not come before us today.


Seeing none, we'll move right to adjournment, and without objection, we stand adjourned.

There being no further business for the good of the County, the meeting was adjourned by order of the Chair at 1:50 p.m.

COLLIER COUNTY PLANNING COMMISSION

EDWIN FRYER, CHAIRMAN

Please see the attached two page errata sheet for corrections approved by CCPC.

These minutes approved by the Board on 2/17/22, as presented _____ or as corrected .

TRANSCRIPT PREPARED ON BEHALF OF U.S. LEGAL SUPPORT, INC.,
BY JANE PETERSEN, RPR, COURT REPORTER AND NOTARY PUBLIC.

Corrections to minutes of October 21, 2021 approved by CCPC on February 17, 2022. The "I" referred to below is Chairman Fryer

Annotation Summary of CCPC Minutes 21oct21.pdf.

Text [page 2]: The secretary called on me and I replied Here

Text [page 2]: quorum

Strikeout [page 2]: Chairman, I have a forum of seven.

Text [page 12]: I voted against the motion as well

Text [page 13]: in

Strikeout [page 13]: CHAIRMAN FRYER: Is it also relative to change and conditions in the county or not?

Text [page 19]: shouldn't

Strikeout [page 19]: KLATZOW: You should be rubber stamping it.

Text [page 19]: C Just Says CCP

Text [page 22]: Authority

Strikeout [page 22]: No one is signalling at this point, and the chair is proud to recognize Chief Butcher, our esteemed EMS chief with whom I have worked closely on the emergency medical authorities for a number of years.

Text [page 22]: assuage

Strikeout [page 22]: And I am glad to be able to reassure or sway the concerns of the vice-chair that I think I'm going to get an answer from Chief Butcher that will enable me to cut right to the chase and not have to grill down too deeply and take up a lot of time.

Text [page 22]: drill

Strikeout [page 22]: And I am glad to be able to reassure or sway the concerns of the vice-chair that I think I'm going to get an answer from Chief Butcher that will enable me to cut right to the chase and not have to grill down too deeply and take up a lot of time.

Text [page 22]: Sheriff

Strikeout [page 22]: The sheriffs, of course, is a constitutional officer and as it was pointed out by the county attorney, his track record of getting what he asks for is near perfect, if not perfect so really, we don't need to worry or be so concerned about his budget, becau...

Text [page 31]: fey

Strikeout [page 31]: FYEY: For the record, Eric Fey, principal project manager for utility planning.

Text [page 32]: on

Strikeout [page 32]: I just wanted to make sure that we're still of the view that this is not going to be a saddle in the back of the taxpayers.

Text [page 34]: with

Strikeout [page 34]: CHAIRMAN FRYER: It's moved and seconded to accept the AUIR and CIE and pass them on the Board of County Commissions for the recommendation of approval.

Text [page 35]: None

Strikeout [page 35]: COMMISSIONER HOMIAK: Long for me.

Text [page 46]: Mike

Strikeout [page 46]: BOSI: My Bosi, planning and zoning director.

Text [page 57]: ceded

Strikeout [page 57]: And in map number four, the Urban Estates, some of that would be seated to the Fourth District, which would, in effect, break up the Urban Estates into being represented by more than one district.

Text [page 58]: ceded

Strikeout [page 58]: I realize none of these are being recommended; they're just being put out there for consideration by the BCC, but in this case a segment of the Urban Estates, that is to say, east of I-75, would be seated to the Fourth District.