

MINUTES OF THE COLLIER COUNTY
DEVELOPMENT SERVICES ADVISORY COMMITTEE MEETING

Naples, Florida, February 2, 2022

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

Chairman: William J. Varian
Vice Chairman: Blair Foley
David Dunnavant
James E. Boughton
Clay Brooker (excused)
Chris Mitchell (excused)
Robert Mulhere
Mario Valle
Norman Gentry
Marco Espinar
Laura Spurgeon-DeJohn
Jeremy Sterk
Jeff Curl
John English
Mark McLean

ALSO PRESENT: Jamie French, Deputy Department Head, GMD
Eric Fey, Senior Project Manager, Public Utilities
Ken Kovensky, Director, Operations & Regulatory Management
Mike Bosi, Director, Planning & Zoning
Michael Ossorio, Director, Code Enforcement
Lorraine Lantz, Principal Planner, Transportation Planning
Jaime Cook, Director, Development Review
Eric Johnson, Zoning Planning Manager
Rich Long, Building Director
Rich Henderlong, Principal Planner
Jonathan Walsh, Building Official
Patricia Mill, Operations Analyst/Staff Liaison

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

1. Call to Order - Chairman

Chairman Varian called the meeting to order at 3 p.m. A quorum consisting of 12 members was convened. (A 13th member arrived late.)

2. Approval of Agenda

Mr. Curl moved to approve the agenda. Second by Vice Chair Foley. Carried unanimously, 12-0.

3. Approval of Minutes

a. DSAC Meeting – Dec. 1, 2021

Vice Chair Foley moved to approve the minutes of the January 5, 2022 meeting. Second by Mr. Mulhere. Carried unanimously, 12-0.

4. Public Speakers

None

5. Staff Announcements/Updates

a. Development Review Division – [Jaime Cook, Director]

Ms. Cook provided several updates:

- Interviewing for the vacant senior planner position was completed and a candidate was selected. The candidate will help Mark Templeton with landscape reviews because he does both the zoning and site-development sides.
- Interviews for the vacant environmental specialist position were finished this week and we hope to have that person hired and working by next month.
- Three KeyStaff temp agency employees were hired to help Cormac Giblin’s group with zoning and planning reviews.
- Right-of-Way Handbook: The handbook is being updated. The Development Review team has held meetings to work through issues that our reviewers and inspectors are seeing that may be added to the handbook. Once we come to a consensus on the changes, we will work with the transportation side under Trinity Scott’s group and then an outside consultant before we bring it back to the DSAC-LDR subcommittee and the full DSAC committee before it moves forward.
- Last month, Eric Fey and I discussed the water and wastewater DEP permits that are required. She took some of DSAC’s suggestions to staff and we discussed the Utilities Pre-Con meeting. Ultimately, the Pre-Con meeting is what authorizes people to move forward with utilities construction. The DEP, water and wastewater permits will be needed by the Pre-Construction Meeting per the DEP consent order. We’re updating the affidavit the engineer signs off on to include a question on whether DEP permits are required or not. If they are required and you don’t have them, he won’t be able to schedule your Pre-Construction Meeting.

Mr. Foley asked for a copy of the DEP consent order that talks about the requirement. He noted that there’s sometimes a significant delay in the sewer construction and utility construction.

Ms. Lantz said she would provide one to Ms. Mills to distribute to the DSAC.

b. Code Enforcement Division – [Mike Ossorio, Director]
(None)

c. Public Utilities Department – [Eric Fey, Senior Project Manager]

Mr. Fey provided his monthly report on response times, “Letters of Availability, Utility Deviations and FDEP Permits,” for informational purposes, and stated:

- Availability letters fell behind again but we expect to get caught up again this month.
- Workload is moderate.
- Utility deviations are climbing again. They had been declining in volume over the last five months but we’re getting a lot of requests again. Response times remain reasonable for those, despite the loss of our workflow and that’s thanks to Jennifer Rainey, our senior operations analyst, who has kept it going.
- DEP permit volume declined through November and climbed again after the holidays.
- Response times were a little higher on DEP permits in December due to availability. Those are handled by Stantec, our vendor. I did a change-order to extend Stantec’s work order through the end of the fiscal year. I also met to discuss expanding their staff capabilities to provide further assistance to utility planning.

Mr. Fey told the committee that progress on that may fall short again due to his resignation. He resigned yesterday and is taking a job as a water and wastewater engineer and senior project manager with Tetra Tech on Jan. 28. He had a great time working for GMD and PU and has learned more in this job than the rest of his career. Due to staffing issues within the county, he expects he may return here as a consultant.

d. Growth Management Dept. Transportation or Engineering Division – [Lorraine Lantz, Principal Planner, Transportation Planning]

Ms. Lantz provided several updates:

- **Wilson Boulevard Project**: Wilson Boulevard, from Immokalee Road to Golden Gate Boulevard, is being widened from two to four lanes and was approved by the BCC on Jan. 25. We did a very expedited study and it’s moving to Transportation Engineering. They will move it out to an RFP so they can get a design completed by summer. They’re expediting that.
- **Immokalee Area Network Study**: Transit route, sidewalk and roadway gaps are being identified so we can look for funding sources. This would be identifying what should be prioritized to see what would make the most sense in filling those gaps.

Mr. Curl asked if the Wilson Boulevard lighting project was approved.

Ms. Lantz said the recommendation in the report was to continue public involvement as it moves toward design. About 55% of the surveys that came back wanted all lighting throughout the entire corridor and 45% did not. She called it a close call, saying that’s why we recommend moving forward with additional public involvement to determine what should be done. The Sheriff’s Office wants street lighting throughout the entire corridor, so the recommendation is for safety. Wilson Boulevard currently has lighting only at intersections, the minimum required for any corridor. But we are putting in a sidewalk and a shared-use path for additional safety because people are using Wilson Boulevard for active transportation. Lighting would increase safety.

e. **Collier County Fire Review – [Shar Beddow or Shawn Hanson, Assistant Chief, Fire Marshal]**
(None)

f. **North Collier Fire Review – [Deputy Director Daniel Zunzunegui]**

Mr. Zunzunegui provided several updates:

- There's a three-day turnaround time for building review, two-day turn-around time for planning. Our team is hustling because on top of plans coming in, many people are coming in to ask for help, almost like a consulting service, so my staff is working with GMD staff to get things out as quickly as they can.
- We reviewed 499 plans last month, which is typical for January; 470 of those were building construction permits; and 29 were planning reviews.
- We're still next day. Being a fire district, we're very cautious with video inspections. It might come up, based on a particular inspector and what they're looking at. If you're running into issues with that, please reach out to us.
- The fire alarm industry says they're still running into component shortages. Weatherproof devices are hard to come by, as are panels involving voice-evac systems. He recommended that anyone building a major project order those components well in advance.
- We're monitoring legislation involving alarms, House Bill 669 and Senate Bill 1140. It's an amendment to Florida statutes 553.7932, where you can do an over-the-counter permit arrangement for any fire-alarm monitoring or any fire-alarm system. This involves an existing system being renovated and work involves 20 or fewer devices or appliances. There wouldn't be a thorough plan review for those. When it comes to the device issue, it could be a situation where out in the field, it could be problematic for inspectors trying to inspect and review. It appears the bills will pass.
- I discussed the bills this morning in a meeting with some of the GMD team and they agreed that would definitely change business processes, intake and other processes.
- Our district hired consultants to work on a 10-year master plan and a new five-year strategic plan. The consultants came in yesterday for site visits at stations and facilities and will be here through tomorrow afternoon. Trish Mills provided me with DSAC's contact information, so I asked the consultants to include DSAC in the external stakeholder surveys and you will see an email from Dynamics Consulting Group. Please feel free to weigh in with your experiences or things you'd like to see regarding problems with services.
- I came to the GMD building for about four hours on Jan. 22 due to the portal changes. A lot of staff was working to vet those changes and test the system. He commended the employees' dedication and hard work. He cited Danny Condomina, Amy Cooper and other staff members. He said customers will be happy with the changes.

g. Operations & Regulatory Management Division – [Ken Kovensky, Director]

Mr. Kovensky provided several updates about the new portal:

- The self-issuing permits app was successfully implemented the weekend of Jan. 22. A full team came in after many months of testing. They made sure that Go Live was successful by testing all the changes. Large teams were led by Jason Regula and Jason Badge and there were testers from all areas of the GMD building. We could not have been successful without them, and the leadership that allowed them to work the extra hours.
- Self-issuing permits has been working well since we went live. We've done over 160 permits.
- We're working through some normal post-implementation issues. Everything seems to be fine. This is the first phase and we'll be going into our next phase after some cleanup of apps. Permits Phase 2 will bring even more changes and streamline the process.

Mr. Kovensky also presented a report, "January 2022 Statistics," which outlined building plan and development review activities. He noted the following:

- Last month, applied-for permits jumped up about 10% over last month and year-over-year since last January.
- New construction issued permits for last month jumped up almost 20%.
- Staff has been performing well and keeping up. We're working on permits from the 31st, so we're just a few days behind working through the queues.
- Even with staff working over that weekend, they are still working early morning hours, late nights and weekends to meet the demand.

Mr. Kovensky gave an update on staffing:

- Two planning technicians are being hired from KeyStaff and received job offers today; they'll be starting officially in two weeks, so all our planning-tech positions are filled.
- A fiscal tech position is in the process of getting filled in the cashier section.
- One of three permitting supervisor positions is still vacant and posted. The posting will close Friday and interviews will probably begin next week.
- We're well-staffed, except for a few positions. One is the leader in the record room, which is in flux. We tried to reclassify the position to a higher-level supervisor, but that's stuck in the HR Office with no movement. We're still trying to move it through.
- KeyStaff temp agency employees: We have had some setbacks with KeyStaff. When the company removed the yearly five days of paid time-off benefit, several left. Some leave their badges and walk out without notifying staff. The quality of candidates is not up to par.

[Mario Valle joined the meeting at 3:20 p.m.]

- KeyStaff make up 100% of the Call Center, so that took a hit. Last month, we were averaging about 5,000 calls a month, but 7,300 calls came in and abandoned calls shot up significantly. We had an eight-to nine-person Call Center staff and we're down to 1½ to two people. We normally try to fill in from other areas or client services. Staff stepped up and took calls, some of them supervisory staff. We're constantly asking KeyStaff recruiters to give us anybody they can, and then go through the interview process, so that's been a big challenge.
- We're also stretched because we service satellite offices – Orange Blossom, Everglades City, Immokalee – and that takes away from people coming here and processing permits or petitions. We're going to have another satellite office, Heritage Bay, at Immokalee Road and

SR 951, which is having a soft opening now. They'll announce when they're officially open for business. They'll have a couple of planning technicians that can take in permits.

Chairman Varian said he used the new portal for condos and it took time to figure out that you have to find the multi-family button first. He said that wasn't very clear. He said he hadn't considered condos "multifamily," although they are. He suggested labeling the button multifamily/condo for clarity.

Mr. Kovensky said it's a learning process and they're trying to improve it. They also have a permitting guide and send out emails with instructions. They understand there will be pain points but we want the customer base to be educated. We are looking into fine-tuning things, so he will pass that suggestion on to staff.

Mr. Kovensky updated DSAC on the Skype issue brought up at the last meeting. He said IT's position now is to move to Microsoft Teams. However, there seems to be a block on staff accessing teams with external customers, so one of my managers has been trying repeatedly to get a firm answer from IT, whether to go with Teams or Zoom. If we go with Zoom, we will have to purchase several licenses because we've got the client services staff who set up the Pre-Op Meetings, but the zoning or planning sections run the meetings and contact the customers. He said he's been asking about this every day. We're getting error messages with Teams and we're stuck with Skype for now.

Mr. Mulhere said he likes Zoom but uses Teams and that's fine. But he and many others have a problem with Skype because it sucks.

h. Zoning Division – [Eric Johnson, Zoning Planning Manager]

Mr. Johnson reported that Mr. Bosi is working on an issue with an upcoming BCC agenda, coordinating with the County Managers Office, so he has nothing to report on his behalf, except to say that after seven years, he was recently promoted to Zoning Planning Manager and is taking over where Jeremy Frantz left off. If anyone has questions related to the LDC, he can answer them.

6. New Business

a. Review times – NOC and Spot Survey [Requested by Mario Valle]

Mr. Valle asked about review times with notice of commencement spot surveys. Spot surveys were taking over 15 days to get reviewed and he wanted to see what the county was doing to mitigate that.

Mr. Long reported that spot surveys are 10 days out and there are 358 in the queue. With the NOCs, we had a staffing problem, but we are now caught up. Whatever comes in today will be processed tomorrow. We're looking at spot surveys now, the inspection hold and the final spot, which interferes with COs.

We met with Pulte Homes because they have a lot going on. Their pain point is the COs. They're not so much concerned with the inspection hold because the block is 10 days out, so it's not really impacting their production that much. We're going to look at the system to see if we can go in and separate those out and try to attack the 358 in the queue in a more appropriate manner, one that prioritizes the needs of the industry rather than just first-in-first-out. I think they have two staff.

Mr. Mulhere asked about the final spot survey that's holding up the CO. Is that a survey that shows the corners of whatever the improvement is or something like that?

Mr. Long said that typically it's for the screen cages around pools.

Mr. Mulhere asked if someone needs to go out and say, "Here's the survey" and in the field it's accurate.

Mr. Long said no, the surveyor actually uploads the survey and the staff reviews it to the setbacks.

b. Policy regarding plans/permits on job site during inspections and how the electronic versions can be used by inspectors and contractor staff [Requested by Chairman Bill Varian]

Chairman Varian said we're doing electronic plans and have found it's not consistent with what inspectors want in the field. He's been failing some inspections because they don't have the paperwork, but some inspectors accept what he has. He wanted to know why.

Mr. Walsh said inspectors can't be 100% consistent due to workload, technical aptitude, the size of the file and other factors. The direction is that the code says plans must be on the job site. Collier County made a small adjustment to that requirement when it adopted its exemption ordinance, which allowed digital copies to be accepted. The presumption is that everyone would eventually be going to all digital, which is occurring now submission-wise. That works great for a window, a door or a kitchen remodel, but when you get into residential, where you're doing an addition or a second floor, you start to get into the weeds. In addition, there may be Wi-Fi connection problems. If it's a condo in Bay Colony, it might work, but in some areas, such as east of 951, the connection is poor. He said they can't be consistent. However, the code is clear that plans must be on the job site.

Chairman Varian said he was never asked for that by any other inspector in any of the rough stages and both times, it was a final building inspection. He went six months with no questions asked about that until a final kitchen remodel in a condo, which was frustrating.

Mr. Walsh said most trades are what's built in the field. For a kitchen remodel, a rough inspection is relatively easy. It's what's out there. You might have a rough inspection from a structural inspector looking for a set of plans for details, but you might not have the same request for a plan for a mechanical or electrical trade. It's what's built versus what's approved. Structural guys look more to see what's approved so they can compare it to what's built. You're going to have more on the final from a building inspector than you will on the other trades. Due to the sheer volume, the size of an iPad, and the connectivity, we can't be consistent.

c. PL20210001560 LDCA-Golden Gate Lot Divisions [Rich Henderlong - Presentation]

Mr. Henderlong provided a brief overview of the proposed amendment with recommended changes made by the DSAC-LDR Subcommittee highlighted in yellow. Blue highlighted text was at the recommendation of John Houldsworth and some staff, who wanted to ensure that when a new driveway is constructed, that it's inspected and that it occurs prior to the plat recording. We are asking DSAC today to accept the new language.

- The purpose of the access driveway is to deal with vacant Golden Gate Estate platted lots that are not located on an existing roadway but are being subdivided into lots for connection to an existing roadway frontage lot.

- Staff identified 44-plus vacant lots that are 6.75 acres or more that could be subdivided into three or more lots.
- Over the past 30 years, the county has approved minor subdivisions with differing improvement requirements.
- With this amendment, these tracts will be exempted from the construction-plat, final-subdivision plat process, where there are no required subdivision improvements for the purposes of this minor subdivision.
- There are four examples in the LDC. Additionally, these tracts can be divided from the front of the tract into an additional lot behind the abutting front lot on an existing right-of-way. This access also will include a utility and drainage easement and a constructed 20-foot wide, dust-free gravel driveway and a *cul de sac* or turnaround improvement. The design for the dust-free gravel driveway is related to the Golden Gate access easement and is added as an exhibit in Appendix D.

A discussion ensued and the following points were made:

- There is no minimum tract size.
- To pull a permit in Golden Gate Estates, you must have 2¼ acres.
- Larger tracts are subdividing into smaller tracts to meet the 2¼-acre requirement for zoning purposes.
- This does not require a PPL.
- This is just a lot-split.
- The driveway shall be installed and inspected prior to recording the plat.
- There are properties that are zoned Golden Gate Estates that are not platted in the Estates Subdivision. This is only applicable to the Estates Subdivision.

Mr. Mulhere moved to recommend approval of the amendments and changes suggested by the DSAC-LDR subcommittee. Second by Mr. English. Carried unanimously, 13-0.

7. Old Business

Mr. French provided an update on staffing and other issues:

- Year-over-year, Collier County issued more than 63,000 building permits, the largest number the county has ever seen. This is actual permits issued from January to January, something that would not be possible without this team and its commitment.
- When he arrived here nine months ago, he announced short-term fixes. However, short-term has turned into long-term and the fixes are not working. Employees are offered overtime pay but are not accepting it. They're just tired.
- There are more than 20 vacant FTEs now and some positions are being filled.
- Rose Burke plans to retire, so a new business center manager will be needed. Kirsten Wilkie, an 18-year employee, agreed to step in, shadow Rose for a month and fill in for the interim. That results in Wilkie's position opening up in Jaime Cook's section.

- Last month, he told the CBIA he will have to take down Cityview on weekends because the county can't handle the volume. When employees returned to work the Tuesday after Martin Luther King Day, there were more than 800 submittals.
- There was pushback from the CBIA, so he agreed to stay open Saturdays, but can't agree to do Sundays and holidays.
- The level of service will be reduced on March 1. From midnight Saturday through 7 a.m. Monday, people will not be able to submit land-use petitions and right-of-way permits. The system will be available, but not for building permit applications. We're looking at a way to keep the self-issuing permits.
- It's worth attacking areas where the most rejections occur on intake. This is our biggest critical need based on volume.
- He told the CBIA he might be able to reopen on Sundays and holidays after six or seven months, depending on staffing. But the county may decide to follow government holidays and not allow submittals on holidays. For now, it's building permits, self-issuing and over-the-counter applications. This may curb some of the behavior and will allow us to look at the reason they were rejected.
- Nearly 20% of submittals coming through the door are being rejected because they're not complete. He believes it's mostly out-of-town contractors causing problems, but the county has an obligation to not reject those submissions and to serve them due to the statute.
- We might go back to the way it used to be, submit three times and you cannot submit again.
- We spend many hours answering clients' phone calls because the contractor is blaming the county. We often determine that the contractor hasn't submitted anything, or they submitted and didn't pay and it sat there for 1½ months.
- Right now, we're at about 20 empty positions and we're equal to 20 positions on KeyStaff. We had six KeyStaff walk out the week that KeyStaff took away their five annual paid days off.
- Principal Planner Anita Jenkins left to become CRA director for the City of Naples. Her position is open, so we may be at 21 vacant positions now and are very short-staffed.
- We're asking for nine employees. That's based on 3- 4-month-old data. He asked DSAC and staff to show up and support this during the BCC meeting. The executive summary now totals 12-13 pages and the "ask" is the highest countywide, nine employees, followed by Public Utilities and possibly Conservation Collier, all seeking Enterprise Fund money.
- We're doing what we can to fill in the gaps during the county manager's time of need. We'll continue to ask for support from HR, but they're taxed as well.

- We are happy about the commitment by the BCC and County Manager Mark Isackson, who will be leaving in five months. He's committed to working out his term and holding us accountable. He will continue to provide us with enough autonomy to run this division.

Chairman Varian said he goes on sales calls and many people ask about their remodels: "Do you really need a permit? I hear it's a nightmare down there." He said that bothers him because he knows the county is busy. He tells them if they submit it correctly, it's completed very quickly.

Mr. French said people try any excuse. Currently, Jamie Cook is running about 20 days behind. Even though Rich Long's group, Building Permitting & Inspections, is caught up, Cormac Giblin's volume is up on the planning and zoning side because he's not only doing site-development plan work, he's doing building permits. His employees are hammered and are usually 18-20 days behind. They're doing setbacks and 10-day spot reviews. We're looking at that and are trying to move around some inspections.

- **Silt Fences:** There's a lot of activity with silt fences. We just had a major freeze. Two years ago we had a major freeze, then we had rain falls and then big complaints coming out of Pine Ridge Estates because they didn't have silt fences around the sites, so they got fined. Most of this is occurring in the Estates. They all require silt fencing. That's been in the code forever. This is not new.
- **Illegal Culverts:** There are a lot of illegal culverts. We're seeing them in Willoughby Acres, North Naples, and the Estates. They're just dropping in culvert pipes because they want a wider driveway to park their RV. That is a life-safety issue. We plan to address that with the BCC, Pollution Control and Stormwater because as we see that continue, we must address it. If you want it, apply for a permit. But most are not allowed.
- **Easement Vacations:** Unless it provides a valid public purpose and a public benefit, there will be a staff recommendation of denial. He spoke with the County Attorney's Office and the County Manager's Office about that today. If there's a reason to swap, if there's valid public purpose, that's OK. We recognize some things are unique, but the County Attorney's Office has said unequivocally that there's no real reason to do these.

Mr. Mulhere asked how the employee compensation study was addressed.

Mr. French said they looked at the scale, the adjustments and job grades. If you were at a starting salary, you were able to gain more ground than someone who was above that starting salary. It put those salaries closer together. On average, employees saw an 8% increase, while some received a 10% raise, such as an architect, whose job requires the same level of education as an engineer and may require certification. Because Collier County has only a few architects, it was never addressed, so they were at a lower job grade than an engineer. The intent was to go back and revisit it, not just regionally, and to look at other governments to see why we're losing staff.

Mr. Mulhere noted that some public agencies provide a housing stipend.

Mr. French said affordable housing has always been a hot topic. It's not going to go away. I've asked to have more of a hand in the long-range planning aspect. It should be addressed in the Comprehensive Plan.

Ms. Spurgeon said the Housing Department is trying to push forward some housing initiatives and changes to the Growth Management Plan and Land Development Code. They're working their way through GMD review.

Mr. French said there's a lot of work that needs to occur. We're behind, especially with LDC amendments. We'll be bringing back LDC amendments on how we address those going forward. Years ago, we only brought forward LDC amendments that were privately sponsored, sponsored by DSAC or when the board directed it. We may have to return to that. We've got to gain better control and try to train our board on hot topics to get them up to speed. Live entertainment permits will be brought to DSAC next.

8. Committee Member Comments
(None)

9. Adjourn
Future Meeting Dates:
March 2, 2022, 3 p.m.
April 6, 2022, 3 p.m.
May 4, 2022, 3 p.m.

Mr. Mulhere made a motion to adjourn. Second by Mr. Gentry. The motion carried unanimously, 13-0.

There being no further business for the good of the County, the meeting was adjourned by the order of the chairman at 4 p.m.

**COLLIER COUNTY DEVELOPMENT SERVICES
ADVISORY COMMITTEE**



Chairman, William Varian

These minutes were approved by the Committee/Chairman on 3/2/, as presented (choose one) _____, or as amended _____.