

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

Naples, Florida, February 7, 2018

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

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

ALSO PRESENT: Judy Puig, Operations Analyst, Staff Liaison
Eric Fey, Sr. Project Manager, Public Utilities
Mike Ossorio, Director, Code Enforcement Division
Caroline Cilek, Manager, Plan Review and Inspection
Lorraine Lantz, Transportation Engineering
Matt McLean, Director, Development Review
Ken Kovensky, Director, Operations and Regulatory Management

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

I. Call to Order - Chairman

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

II. Approval of Agenda

Mr. Schiffer moved to approve the Agenda. Second by Mr. Mulhere. Carried unanimously 11 - 0.

III. Approval of Minutes from December 6, 2017 Meeting

Mr. Foley moved to approve the minutes of the December 6, 2017 Development Services Advisory Committee meeting as presented. Second by Mr. Mulhere. Carried unanimously 11 - 0.

IV. Approval of DSAC/LDR minutes from November 13, 2017 (Only Committee members Clay Brooker, Robert Mulhere, Blair Foley and Brad Schiffer are to vote on this)

Mr. Schiffer moved to approve the minutes of the November 13, 2017 Land Development Review Subcommittee meeting as presented. Second by Mr. Mulhere. Carried unanimously 4 - 0.

V. Selection of Chair and Vice Chair

Mr. Mulhere moved to appoint William Varian as Chairman of the Development Services Advisory Committee. Second by Mr. Foley. Carried unanimously 10 - 0. Mr. Varian abstained.

Mr. Mulhere moved to appoint Blair Foley as Vice Chairman of the Development Services Advisory Committee. Second by Chairman Varian. Carried unanimously 10 - 0. Mr. Foley abstained.

Ms. Spurgeon-DeJohn arrived at 3:05pm

VI. DSAC Position Vacancy Review & Vote

1. Jeff Curl – Category: Landscape Architect

Discussion occurred to ensure a landscape architect was permitted to sit on the Committee and a review of the Ordinance governing the Development Services Advisory Committee determined the profession is eligible for a seat. Additionally, there is no landscape professional seated and it would be beneficial for the input given the landscape issues that confront the Committee from time to time.

Mr. Schiffer moved to recommend the Board of County Commissioners appoint Jeff Curl to the Development Services Advisory Committee. Second by Mr. Dunnivant. Carried unanimously 12 - 0.

VII. Public Speakers

None

VIII. Staff Announcements/Updates

A. Code Enforcement Division update – [Mike Ossorio]

Mr. Ossorio provided the report “Code Enforcement Division Monthly Report November 22, – December 21, 2017 and January 1, 2017 – December 31, 2017 Highlights” for information purposes. He noted:

- The year end review indicated voluntary compliance in code enforcement actions was at 50% in 2017 and a goal has been set to reach 75% compliance in 2018.
- The Division is undertaking re-staffing assignments for the Immokalee area to assist in enforcement actions.
- A Request for Proposal was issued for the Special Magistrate services.
- The vendor contract for litter abatements, mowing, etc. is out to bid.
- Staff continues to remove unauthorized temporary snipe signs, especially during weekend events.

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

Mr. Fey reported:

- Staff reviewed the concern brought forth on the pump station failure at the Golden Gate High School emergency shelter during Hurricane Irma and determined the station is operated by the School District. There is a generator on site to service the station however it could not be started by those present. Discussions are underway with the School District to determine the feasibility of Public Utilities acquiring and maintaining the stations.
- The Division continues to work with Stantec Consulting Services, Inc. to address deviation forms, ability to serve letters, etc. The goal is to improve the level of service in these areas.

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

Ms. Lantz reported:

- Public meetings were held with 8 Homeowner Association to garner input on the proposed intersections improvements for Pine Ridge Road/Livingston Road and the I-75/Pine Ridge Road area. Over 300 participants attended the meetings to provide input. Most did prefer an overpass for Livingston Road, however there are cost concerns with the proposal.
- Staff will be scheduling meetings with business owners/operators and the Aviano Homeowner's Association in the future to obtain further comments.
- At this point, Staff is recommending a Continuous Flow Intersection (CFI) for the Livingston Road area and a Superstreet/Diverging Diamond at the I-75 location (this would potentially be completed by Florida Department of Transportation).
- The item is scheduled to be presented to the Board of County Commissioners on March 27, 2018 for direction on design concepts.
- The CFI would take approximately 2 years to complete and 2 – 4 years for the overpass.

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

Ms. Hingson reported:

- Site Plan reviews are at a 2 day turnaround, building plan review 3 day turnaround and inspections occurring within 1- 2 days.
- There are now tax incentives for those choosing to install sprinkler systems with a 100 percent tax deduction for those installed between 2017 and 2022 with a depreciation schedule for following years.

E. North Naples Fire Review update – [Dale Fey]

None

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

Mr. Kovensky submitted the “*Collier County December 2017 Monthly Statistics*” and “*Collier County January 2018 Monthly Statistics*” which outlined the building plan and land development review activities. The following was noted during his report:

- Submittals remain at a high level with 5,300 permit applications accepted in January of 2018 compared to 2,900 in January 2017. Approximately 1/3 of the applications are related to Hurricane Irma.
- The rate of electronic submittals is now at 45 percent.
- Inspections are occurring at a rate of 18,000 – 20,000 monthly.
- Staffing levels continue to be monitored including discussion with the Office of Management and Budget on how to address the issue given the shortage of workers in the local labor pool.

The Committee:

- Noted it is important Staffing levels are addressed to ensure the County meets the expectations of the development community.
- Reported another issue to be addressed is parking availability in the area given the high demand placed on the facility – *Staff noted they are aware of the issue and our reviewing options such as allowing certain employees to take vehicles home after work and identifying any off site parking options which may exist in the neighborhood.*
- Requested Staff to investigate the requirements for the consulting architect to provide a notarized signature as the applicant’s representative which may be an impediment during the electronic application process.

G. Development Review Division update [Matt McLean]

Mr. McLean reported:

- Staff is reviewing the standards for excavation permits for independent applicants to ensure the bonding requirements are sufficiently met during the process. This may include requiring the bond to be posted before review of an application.
- Any party instituting landscape changes as a result of hurricane damage are urged to contact Staff to ensure they are meeting any County requirements for vegetation removal, replacement, etc. There are different requirements for manual vs. mechanical clearing including allowance of exotics to be removed manually without a permit, however any clearing of land over 1 acre in area requires a permit.
- Staff is reviewing the requirements for “closing out” permits including standards for Temporary and Permanent Certificates of Occupancy.
- A workshop will be held by Staff for any interested individuals for the County’s Utility and Site Acceptance process.
- A Preserve Management Plan requires a Fire Management Plan to burn debris in the protected area given dead and decaying debris is considered to be part of the natural habitat of the area.

IX. New Business

Ms. Cilek reported the County is repealing and replacing the Flood Damage Prevention Ordinance based on recent changes to the Florida Building Code. A Committee will be assembled to assist in the endeavor.

- X. **Old Business**
None
- XI. **Committee Member Comments**
None
- XII. **Adjourn**
Next Meeting Dates
March 7, 2018 GMD Conference Room 610 – 3:00 pm
April 4, 2018 GMD Conference Room 610 – 3:00 pm
May 2, 2018 GMD Conference Room 610 – 3:00 pm

There being no further business for the good of the County, the meeting was adjourned by the order of the Chair at 3:52PM.

**COLLIER COUNTY DEVELOPMENT SERVICES
ADVISORY COMMITTEE**



Chairman, William Varian

These Minutes were approved by the Board/Chairman on 3/7/18, as presented X, or as amended _____.

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

LAST NAME—FIRST NAME—MIDDLE NAME Foley, Blair	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE DSAC
MAILING ADDRESS 120 Edgemere Way S.	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY Naples Collier	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED 2.7.18	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

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

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

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

* * * * *

ELECTED OFFICERS:

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

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

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

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

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

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

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

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Blair Foley, hereby disclose that on 2.7, 20 18 :

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


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

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

Election of Vice Chair, Item V. - I abstained from voting for myself.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

2.11.18
Date Filed

 BLAIR FOLEY
Signature

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

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

LAST NAME—FIRST NAME—MIDDLE NAME VARIAW William J	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE DSAC
MAILING ADDRESS 3520 17 th Ave SW	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY NAPLES 12 Collier	NAME OF POLITICAL SUBDIVISION: -
DATE ON WHICH VOTE OCCURRED 2/7/18	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

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

ELECTED OFFICERS:

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

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

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

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

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

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APPOINTED OFFICERS (continued)

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, William J. Vane, hereby disclose that on 2/7, 2018 :

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

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

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

COULD NOT VOTE FOR CHAIR POSITION. I WAS NOMINATED

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

2/9/18
Date Filed

[Signature]
Signature

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