

# COLLIER COUNTY PRESIDENTS COUNCIL CONNECTION

October 2011

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## HOW WE ELECT COUNTY COMMISSIONERS

Responding to wide-spread interest in improving our local government, Murray Hendel and the Collier County Presidents Council (CCPC) are sponsoring a public forum on "How We Elect County Commissioners."

The forum will be held on Tuesday, November 1, 2011, from 4:00-5:30 p.m. at the Moorings Presbyterian Church, 791 Harbor Drive.

Joining as cosponsors are the League of Women Voters, the Greater Naples Better Government Committee, the Naples Daily News and the Greater Naples Chamber of Commerce.

Up until 1988, when the district-based system was put in place, Collier County elected all commissioners at large. To protect minorities, the U.S. Justice Department now must approve any change to our electoral process. As such, because of the high concentration of Hispanics in District 5, reverting to the at-large system would be difficult.

Another choice would be to add two at-large commissioners to the five elected by district. That is permitted by the Florida Constitution and might be acceptable to the Justice Department. The 5+2 system is used in a number of Florida counties.

While there is no guarantee the 5+2 system would make things better here, there are some possible benefits: voters would have a greater voice in choosing commissioners (one from each districts plus two at large); two commissioners without allegiance to any one district might provide a better focus on county-wide matters.

A panel of experts will discuss these points. Speakers will include Tim Durham of the Collier County Elections Office; Chuck Mohlke, a local leader of the Democratic Party; former Collier County Commissioner Jim Carter; and Professor Ken Ginsberg of Hodges University. Jeff Lytle of the Naples Daily News will serve as moderator.

Later in November, community surveys will be taken to gauge interest in pursuing a 2012 referendum to add two at-large commissioners.

The forum is a major undertaking of the CCPC, an important public service on a critical issue of governance. Please make every effort to attend.

**Dave Trecker**

**NAPLES MUNICIPAL AIRPORT**  
**announces availability to subscribe to its website**  
[www.FlyNaples.com](http://www.FlyNaples.com)  
**for information regarding air charter operators,**  
**corporate aviation, mosquito control, Collier**  
**County Sheriff's Aviation unit, airport projects**

**2010 COLLIER COUNTY  
PRESIDENTS COUNCIL  
MEMBERS**

Aqualane Shores Association  
Ave Maria POA, Inc.  
Banyan Woods Master HOA  
Bear's Paw Country Club, Inc.  
Berkshire Lakes Master  
Association  
Briarwood POA  
Calusa Bay Master  
Association  
Champions of Lely Resort  
Condominium  
East Naples Civic Association  
Golden Gates Area Civic  
Association  
Gulf Shore Assoc. of  
Condominiums  
Harbour Drive/Gulf Shore  
Assoc.  
Imperial Golf Estates  
Island HOA  
Kings Lake HOA  
Lakewood Community  
Services

**SMALLWOOD STORE PRESERVED**

When a ruling by Collier County Judge Hugh Hayes restored complete access to the historic Ted Smallwood Store, there was a big celebration in Chokoloskee. Mamie Street, which had been bulldozed, was to be returned to a public road and the chain link fence across it was to be removed.

While all of that has been done, the road is now virtually impassable. Florida-Georgia Grove LLP, the developers responsible for closing off the road, has removed all barriers. But, they have not repaired the road. There is no paving on the road and residents, living with this obstruction to their homes for six months, now must tolerate a bumpy ride to get there.

The road is part of a 4.75 acre parcel acquired by the Sebring based firm in 2004. Until this past Spring, the access to the century-old Smallwood Store and to the surrounding neighborhood remained. It was a Collier County road and, on the Florida Department of Transportation maps, Mamie Street is also designated as a public road. A new Boat Basin, built by the firm, shared a waterfront site with the Smallwood Store but the firm believed neighborhood residents and Smallwood customers should use an alternate access, yet to be built.

That the Smallwood Store was a part of the history of Southwest Florida and that residents needed to reach their homes, seems not to have been considered by the company trying to wrest control of the road. While there is still some work to do to restore Mamie Street to an acceptable condition, at least it has begun.

**DECREASE FOR CONDO OWNERS**

Recently, the City of Naples reduced the permit fee which must be paid by homeowners living in condominiums or duplexes, should their water heater need to be replaced.

While a fee for a permit to install or replace a water heater had been in the Florida Building Code since 2004, because of lack of clarity or specificity, it had not been regularly enforced. In Collier County, a 2007 and, then, a 2009 update to the Building Code, was interpreted as a requirement that multifamily residences were required to pay a fee for permitting. Since replacement of water heaters is not on the Florida Building Code list as work for which a permit is not required, by default, the interpretation was that a permit is required. In the case of a single family home, however, there was no fee unless the cost of replacement cost is more than \$1,500.

The recent fee reduction from \$110 to \$65 did take into account that nearby communities have interpreted the state code differently. But, here in Collier County, there is concern that faulty installation of a gas or electric water heater in a multifamily residence could affect more than just a single homeowner. Therefore, the examination of a permit request by building and licensing officials appears, right now, to be necessary in order to be cautious and to be as responsible as possible.

## **RESTAURANTS AID ECONOMY**

Collier County restaurants are showing increased revenues in 2011. Sales grew 5.3 percent to \$657 million in the year ending June 30, up from 624 million in 2010. Statewide, restaurant revenue which had been down in 2010 and in 2009, grew 4.6 percent in fiscal 2011 to around \$28.9 billion.

Tourism continues to be a strong element affecting the increase in spending by visitors. Europeans, taking advantage of their stronger buying power in the USA, are part of that pattern. Discounts and 'value-driven' offers by restaurants contribute to improvements as well. Collier County, with 860 restaurants (Florida Department of Business & Professional Regulation) is up from the 767 restaurants listed in 2005.

Chain restaurants, both national and Florida based, appear to be choosing Collier County for their location. Mercato, is a popular venue where almost a dozen chain restaurants are clustered. Vacancies in strip malls and shopping centers in Southwest Florida are attractive business choices now because of favorable lease rates and lower construction costs.

Naples Originals, a group which encourages dining at locally owned restaurants, also is experiencing an increase in sales. Their thirty four independent Collier protect city residents.

Robert Middleton, Naples Utilities Director, is enthusiastic about the new map, accessible in office or, in the field, by using a laptop. Locating and identifying property boundaries, easements, plus water and sewer lines, will implement dependable assistance for residents. Quickly locating a sewer manhole, a fire hydrant, or even a water meter, increases the effectiveness of city employees in serving the community.

Accessing precise legal descriptions of property will allows projects to progress speedily and will ensure decisions made in the field are accurate. The map, created to be a reliable and accurate source of information, is sure to be referenced frequently.

## **LIVING MEMORIAL PROGRAM**

When Naples made the decision to replace some of the Memorial concrete benches located throughout the city, a problem developed. In an effort to 'go green' and to also reduce maintenance, sturdy plastic composite material was chosen for the new benches. That made re-installing Memorial plaques, previously part of each bench, complicated.

Memorial benches are a part of a Living Memorial effort by the city. In addition to benches, Memorials may be purchased for walls at the Naples Pier, for the beach front at Lowdermilk Park, or, in selected areas, for living trees on which plaques can be placed. Cost associated with each location, as well as the size and material of a plaque, can vary.

A delay in replacing plaques which had been removed from older benches onto the new ones, resulted in the matter coming before Naples City Council. It was resolved quickly and participants were informed that concrete benches could still be a choice for Memorial plaques.

To inquire about the program, call the Community Services Department (239) 213-7125.

### **2010 COLLIER COUNTY PRESIDENTS COUNCIL MEMBERS (Cont'd.)**

Lely Island Estates HOA

Longshore Lake  
Foundation

Mandalay HOA

Moon Lake HOA

Moorings POA

Pelican Bay Foundation

Pelican Bay POA

Pelican Marsh (Foundation  
of)

Port Royal Association

Quail Creek Village  
Foundation

Residences at Pelican  
Isle (The)

Rivard Villas

Royal Harbor  
Association

Saturnia Lakes

Sawgrass of Naples

Village Walk HOA

Villas Raphael

## **COLLIER COUNTY WATER CONCERNS**

In Florida, it is a fact of life that water is vital. Preserving this important resource affects an acceptable quality of life for everyone who lives here.

Surrounded by water, proper irrigation of the Florida Peninsula is a challenge for residents, for farmers, and for business people. In our part of the state, the Southwest Florida Water Management District (SFWMD) has been created to protect the needs of everyone involved.

The Florida Department of Environmental Protection (DEP) as well as the U.S. Environmental Protection Agency (EPA) also have considerable jurisdiction over waterways and estuaries here. Each agency has been created to oversee the function and the regulation of water resources; one on the state level and one on the federal level.

Starting with an effort to restore the Everglades, several attempts have been made to address water preservation and to create water purity standards. The issue has been complicated because a solution requires both salt and fresh water be taken into account.

Standards for southwest Florida originally were addressed in December of 2009 when SFWMD suggested a plan which would establish 'water reservations' to protect fresh water and to control its release to the southwestern part of the state. Since Florida law requires the environment not experience 'significant harm,' it seemed possible that creating a 'water reservation' would regulate and protect water overflow. The perception is that additional water moving downstream from the 'reservation' will help the environment as well as provide quality drinking water for urban areas.

Delays in finding a solution have now resulted in the EPA insisting their standards for pure water be implemented by the state. The issues involved were the subject of a public meeting at Rookery Bay National Estuarine Research Reserve recently.

Presently, there is no agreement on a course of action to control and preserve water in southwest Florida. New, precise water quality standards are expected to be submitted to the state's Environmental Resource Commission for review in November. Establishing rules and regulations will be vital but monitoring them will be difficult because a one-size-fits-all solution doesn't seem likely to work in this situation.

**Sandy Linneman, Editor**