



Bayshore Gateway Triangle CRA • Bayshore Beautification MSTU
Haldeman Creek MSTU

Agenda item 5a– February 7, 2018 meeting minutes

**BAYSHORE/GATEWAY TRIANGLE BEAUTIFICATION MSTU MINUTES OF THE
FEBRUARY 7, 2018 MEETING**

The meeting of the Bayshore Beautification MSTU Advisory Committee was called to order by Chairman Maurice Gutierrez at 5:00 p.m. at the CRA Office, 3750 Bayshore Drive, Unit 102, Naples, FL 34112

- I. **Roll Call:** Advisory Board Members Present: Maurice Gutierrez, George Douglas Stephen Jaron, Sheila DiMarco, Robert Messmer, and Sandra Arafet were present. Sheila Dugan put in her resignation and was not present.
- II. **MSTU Staff Present:** Shirley Garcia, Operations Coordinator, CRA; Tami Scott, Senior Project Mgr.; Debrah Forester, CRA Director; Tim Durham, Executive Director; Naomi Hutcheson, Administrative Assistant; Code Enforcement
- III. **Pledge of Allegiance:** The Pledge of Allegiance was led by Chairman Gutierrez.
- IV. **Advisory Board Elections:**
 - A. **Chair:** Maurice Gutierrez made a motion to nominate Stephen Jaron for Chairman. Sandra Second. Passed Unanimously.
 - B. **Vice-Chair:** Sheila Dugan was previous Vice Chair. She has resigned since the January 2018 meeting. Stephen Jaron made a motion to nominate Sheila DiMarco for Vice Chair. George Douglas Second. Passed Unanimously.
- V. **Adoption of Agenda:** Sandra Arafat made a motion to adopt the Agenda as is. Maurice Gutierrez Second. Passed Unanimously.
- VI. **Adoption of Minutes:** Maurice Gutierrez made a motion to adopt the minutes as presented. Sandra Arafat Second. Passed Unanimously.
- VII. **Community/ Business Presentations:**
 - a. **Update on Landscaping—Aaron Gross, Ground Zero Landscaping—**Aaron gave an update on where his staff is in regard to landscaping: finished planting Foxtails at US41 to fill in spots from fallen trees, straightened 3 large Royal Palms, cut down and ground stump of 1 Royal palm, continuing to repair irrigation breaks from Irma, repaired wire vandalization damage to planter irrigation system on Haldeman Creek Bridge. George Douglas asked about side streets, as Republic is overgrown. Shirley will try to figure out who owns the property George is concerned with to determine a possible resolution—if private



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property she will contact Code Enforcement. Ground Zero contract only includes Bayshore, Bayview, Lunar, and possibly Thomasson after the completion of the Thomasson Dr project.

- b. **Clean up:** Shirley mentioned the Weekend Warriors were out removing trash. Sheila mentioned that high school students have to meet volunteer requirements prior to graduation. Shirley and Maurice discussed the big clean up weekend in March or April. Stephen mentioned concern about Styrofoam in the mangroves in Haldeman Creek. Debrah informed the Committee that the County's contractor Ashbritt has been doing assessments on kayaks and that they have contacted the Department of Environmental Protection (DEP) to see if permits are needed to work in the mangroves. They will let us know the outcome and when they can begin the work.
- c. **Guide to Sunshine Law and Code of Ethics:** Tim Durham gave an annual refresher on the Sunshine Law and Florida's Code of Ethics. Points of interest: Any time a Board or Committee member has question as to whether something is legally sound they can contact the County Attorney's Office for clarification. The County does have strict behavioral prohibitions on top of the state statutes and ordinances. Board/Committee members should not vote on an issue if it is a conflict of interest. Appropriate documentation must be filed. Solicitations, gifts, and/or other compensations cannot be accepted for votes. Board/Committee members cannot disclose information the public may not be privy to. Board/Committee members cannot vote in ways that benefit their personal lives over the best interest of the public. All communication in regard to MSTU issues must be conducted via county staff as it is public record. It is highly advisable that Board/Committee members not communicate with one another outside meetings. Several questions were raised to clarify this point. It is ok to communicate with individuals on other boards, or to say hi if one happens upon another in public, but longer conversations are not recommended as this could provide the illusion of nefarious deeds. Tim stated the first Ethic Case in Florida cited the Bible's precept that it is not possible to serve two masters. He left this as advice for the Committee: it is not possible to serve the Boards best interest if one is serving their own best interest.

VIII. Old Business:

- a. **Thomasson Drive—Staff Update:** Tami Scott presented update on Thomasson project. While going through the approval processes it was discovered that the plans include approximately 1900 feet that are outside the MSTU boundary. The current boundary ends at Dominion, but the plans go through Orchid. The MSTU must decide if they want to keep the plans as is which would require the acquisition of the Right of Way (ROW) from Dominion to Orchid without guarantee of acquiring the taxes from the accompanying neighborhood, or if they want to have new documentation drawn up excluding this roadway. Tami did discover a proposal from 2015 wherein the MSTU would acquire the ROW. The



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Committee at the time decided it was fiscally unwise to acquire the ROW related to land they do not receive taxes from to assist in the up keep. Maurice brought to light many of the concerns the Committee held at that time. General discussion about the positives and negatives of both options were discussed at length. Primary Concerns: Going outside RFP and going over budget would require MSTU to request a loan from another entity-possibly the CRA Board. If the project is restricted at Dominion it will have to be 2 separate projects which requires new documentation and quotes. The MSTU could acquire the ROW and then petition the surrounding neighborhood later. Without first acquiring the ROW they cannot use their quotes as is since it includes area outside the MSTU budget. An Add Alternate could be used as a fallback. The County will not give the MSTU any money back for maintaining a section of road that is outside their boundaries. Maurice made a motion to set up as an add alternate and capture the ROW as proposed in 2015 for continuity purposes. Stephen Second. Bob stopped the vote for more clarification. Maurice amended motion to eliminate add alternate. Stephen second. Passed Unanimously.

- b. Easement at Cirrus point:** Tami informed the Committee that there is a developer interested in the Cirrus Point property. She will include information about the easement when dealing with any future developers and also have the conversation about the MSTU acquiring an easement to facilitate the improvements. Maurice inquired about the likelihood of the county reimbursing the MSTU since it was a scheduled project that was deferred on request. Tami and Debrah informed the Committee that due to regular changes to construction schedules the project is not scheduled for more than 5 years, and there will be no reimbursement should the MSTU choose to resolve it on their budget.
- c. Bayshore Drive—Hurricane Irma repair update—Staff Update:** Tami informed the Committee that Municipal Signs walked the streets and made an assessment of what signs needed replacing. They will be in touch with a quote.
- d. Banners—Banners on Bayshore Drive** have been changed out from Christmas to the Light Bulb. Old Banners have been approved for disposal, and CRA staff are waiting on recycling information.
- e. Entrance Sign:** Shirley asked the board if they would like to take the Entrance Sign down since it is dirty and the old logo. It was decided an old, dirty sign was better than no sign.
- f. 2017 Annual Report:** Tami let the Committee know that the Annual Report is on its 3rd draft. It should be complete by the March meeting as it is due for submission to the BCC in March. The workshop to discuss and work on the 2018 work plan is in April.
- g. 2018 Work Plan:** Debrah verified that the Bayshore Beautification MSTU's primary focus for 2018 is the Thomasson Drive project. Once a finalized budget for that project is determined then they can look at the remaining funds and what to do with them. Removal of Irma debris continues to be a 2018 Goal.



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IX. New Business:

A. Irrigation Repair: Shirley and Aaron informed the Committee that they have a crew dealing with the damage to the irrigation system from Irma. It is an ongoing open PO. Once all repairs are done it should require minimal weekly maintenance.

B. Mattamay Homes: Tami informed the Committee that Mattamay Homes is on its 3rd review which has caused a set back for the Thomasson Drive roundabout. The County is suggesting part of the median be removed for a left turn lane based on the current traffic impact statement. Tami asked Aaron about the value of the foliage involved and the possibilities of having them moved and replaced. The Royal Palms are \$5000-\$7000 each and can be relocated. They could be replaced with Alexanders or Foxtails. The Alexanders are approximately \$750-\$1200 each including installation. Tami would like to write into the conditions that the developer pay for any moving or replacing of median foliage.

X. Project Updates: Project Manager's Report: updates are in the agenda packets for informational purposes. No additional questions were asked.

XI. Correspondence and Communications:

a. US 41 Corridor Study: The final meeting for the study will be on February 21, 2018 from 6:00 to 8:00 pm at the South Regional Library.

b. Call for Artist Flyer: Flyer for a juried Art Show on February 17, 2018 from 10am to 3pm, at 3700 Bayshore Drive. General discussion about the success of previous Arts Events.

c. MPO Bike/Ped Master Plan Survey: Tami highlighted the Survey that was presented to the CRA on February 6th, 2018 and requested that the Committee take the time to fill it out online.

XII. Public Comments: Bob, of Moorehead Manner asked if there was a change in the Beautification MSTUs goals in regard to privacy walls. Shirley informed him there has not been a change, they have just been more vocal about it as of late.

XIII. Staff Comments: Tim brought up that the Public Utilities department would be purchasing 200 generators in the next 2 years. One of the primary safety issues discovered during Irma was a lack of fuel to run generators and to get first responders to the places they were needed most. He also mentioned that Pepper Ranch is #9 on the list to be awarded a Competitive State Historical Grant. There is a need for a State Veteran Nursing Home in Southwest FL, as there is no facility in the area and a significant unmet need across the state.

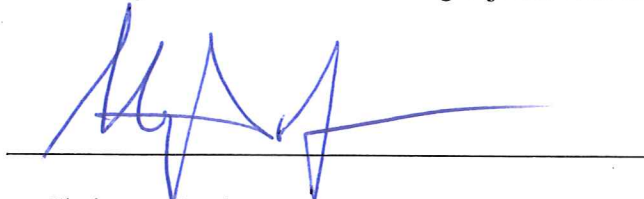


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XII. Advisory Committee Comments: George requested that the staff look into alternative adhesives for the road reflectors for the Thomasson Drive project as it is not a strong enough adhesive currently on South Bayshore.

XIII. Next Meeting Date: March 7th, 2018 at 5:00 p.m.

XIV. Adjournment – The meeting adjourned at 6:47 pm by Chairman Stephen Jaron



Chairman Stephen Jaron