



Bayshore Gateway Triangle CRA • Bayshore Beautification MSTU
Haldeman Creek MSTU

Agenda item 4,a– February 6, 2018 meeting minutes

**BAYSHORE/GATEWAY TRIANGLE COMMUNITY REDEVELOPMENT LOCAL
ADVISORY BOARD MINUTES OF THE FEBRUARY 6, 2018 MEETING**

The meeting of the Bayshore/Gateway Triangle Community Redevelopment Advisory Board was called to order by Chairman, Maurice Gutierrez at 6:00 p.m at the CRA Office, 3750 Bayshore Drive, Unit 102, Naples, FL 34112

- I. **Roll Call:** Advisory Board Members Present: Maurice Gutierrez, Karen Beatty, Mike Sherman, Steve Main, Ron Kezeske, Shane Shadis, and Peter Dvorak. Excused Absence: Larry Ingram. Shane Shadis departed at 830pm and Ron Kezeske departed at 8:48. Meeting ran until 9:42p.m.
- II. **CRA Staff Present:** Shirley Garcia, Operations Coordinator, CRA; Tami Scott, Senior Project Mgr.; and Debrah Forester, CRA Director; Naomi Hutcheson, Administrative Assistant.
- III. **Pledge of Allegiance:** The Pledge of Allegiance was led by Chairman Gutierrez
- IV. **Advisory Board Election—Chair and Vice Chair:**
 - A. **Chair:** Chairman Gutierrez offered to step down if anyone else desired to take on the Chairman role. Steve Main made a motion to nominate Maurice Gutierrez as the Chairman. Second by Karen Beatty. Passed Unanimously.
 - B. **Vice Chair:** Peter Dvorak stated that he would be willing to step down from Vice Chair should anyone else desire to take on the role. Maurice Gutierrez made a motion to nominate Peter Dvorak remain Vice Chair. Second by Steve Main. Passed Unanimously.
 - C. **Term Limits:** Director Debrah Forester presented Collier County Ordinance 2009-16 and requested the CRA Board's official position on Term Limits so that it could be represented during the Joint CRA Board and Advisory Board in April. Ron Kezeske stated that in general he is for term limits, however finds them impractical in the particular scenario of the Bayshore CRA Advisory Board, since it is difficult to keep all seats filled. Stating it is better to have the seat filled than empty. Ron made a motion to not propose term limits and asked those who have been on the board to step aside if someone else were to apply. Karen inquired about where and how often the open Board positions are advertised. Debrah stated it is advertised on the Newspaper, on the BCC Agenda, and the County's Website. Karen requested it be advertised more frequently. Debrah re-asked for clarification on a recommendation to the Board. The Board agreed they do not want term limits at this point. Ron



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Amended motion to add a yearly review of the issue. Second by Maurice Gutierrez. Passed Unanimously.

- V. **Adoption of Agenda:** Chairman Maurice requested the Agenda be amended by removing Vacant Lots from Old Business. Motion to approve amended agenda by Maurice. Second by Steve. Passed Unanimously.
- VI. **Adoption of Minutes:** Steve Main provided a few spelling errors that needed to be amended for the January minutes. Karan Beatty made a motion to approve the corrected Minutes. Second by Maurice Gutierrez. Passed Unanimously.
- VII. **Community/ Business Presentations:**
- A. Montessori Garden School:** Senior Project Manager Tami Scott introduced Marsha Orr of the Montessori Garden School. Marsha stated they have 3 staff members and 22 students. The school can accommodate up to 55 students. She gave a PowerPoint presentation about the school and the Montessori style of learning. She thanked the Board and the community for their assistance in getting the school started and invited them to visit.
- B. Mattamay Homes:** Tami stated that there would be no presentation from Mattamay Homes as there continue to be schedule conflicts. She will try to get them to March meeting.
- C. Collier County Metropolitan Planning Organization (MPO) Bike/Ped Master Plan:** Tami introduced Eric Ortman, Senior Planner of the Collier County MPO. Eric stated that there are approximately 400 MPOs in the United States. The Collier County MPO has completed several Master Plans in 1994/2006/ and 2012. This year they will be developing a new Master Plan and not just an update. The MPO wants to focus on the implementation of three specific goals: safety, increased connectivity, and accessibility to as many people as possible. He implored the community to fill out the survey, and give as much feedback as possible. Surveys were included in the Agenda Packet, at the door for community members, and can be found online on the Collier County MPO website. Points of interest from general discussion: the MPO is working on educating people on pedestrian safety but is not an enforcement agency. They are working in tandem with Blue Zone. He did not have specifics for the Bayshore/Gateway Triangle Area with him, but they are available at the MPO office. The primary area of focus in the Bayshore area at this time is US 41 near the Government Center.
- D. Tim Durham County Managers office—Guide to Sunshine law and Code of Ethics.** Tami introduced Tim Durham to speak on the Sunshine Law and the Florida Code of Ethics. Tim requested to have his presentation moved after Jennifer Belpedio gave an update on the Love & Legacy lots.
- E. Love & Legacy lots:** Jennifer Belpedio, Assistant County Attorney, is representing the CRA and has met with all the parties involved. She recently has spoken to William Rose, who is representing the investment of the group that is financing Cal Montenegro's lots. He has stated that they have put in a significant amount of time and money into the development and they don't want to lose the lots.



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Three of the lots have been developed, sold, and are currently occupied. Ron requested the sequence of events that led to this occurrence as it should have been illegal to sell a title they no longer had possession of. Ron also requested a list of all of the CRAs properties. He stated multiple times that foreclosure was not a negotiation but an aggressive legal process. Ron and Peter went back and forth about their knowledge on foreclosures and the process. Maurice asked for a time line and expressed a desire to negotiate but that it has seemed an unlikely task in regard to these particular lots based on previous interactions. Jennifer assured the Board that she is now dealing with in the financial entity who has the authority to entire into an agreement. Maurice asked that nothing be done for 30 days and that the parties involved be represented at the next meeting with possible timing parameters, escrow and pricing scenarios, and title information. Jennifer recommended that the CRA support clearing the title for the 3 occupied homes and then negotiate an agreement on the remaining 15 lots.

VIII. Old Business:

A. 17 Acres—Staff Update: Tami asked Debrah to give an update on the 17 Acres. Debrah noted that staff has been working with each developer to complete the negotiations to present to the CRAB on February 13. Due to the process, the details are not available until they become part of the public record and are published with the BCC Agenda on February 7. The CRA will have a special meeting on Monday, February 12th, 2018 to review the final proposals prior to the presentation to the CRAB. The BCC/CRA meeting is February 13th, 2018 meeting at 9a.m. at the Board Chambers on the main campus. The meeting is open to the public. Tim stated that it is a very big packet with tentative agreements, benchmarks, milestones, and accountabilities; the CRA should be pleased with the results.

B. Redevelopment Plan: Debrah is working on the Notice to Proceed to consultants and hopes to have it sent out on February 7th, 2018. It is a 280 day contract, which would finish on 11/14/2018. The Redevelopment plan will set the course for the future.

C. Mini Triangle: Tami stated that the Mini Triangle petition would be going before the Planning Commission on February 15th, 2018 at 9:00am. Debrah said once the rezone and Comprehensive Plan amendments were approved and become effective, closing would be scheduled. Anticipated closing July of 2018.

D. Public Art: Karen Beatty gave a brief history of the Arts in the Bayshore area. Laura Burns of the United Arts Council followed with a PowerPoint presentation about the economic impact of the arts in general. A lengthy discussion in regard to the mural project in Bayshore ensued. Points of interest: there is an application that must be completed for all murals with approval of the Advisory Board prior to implementation. The mural must be in adherence to Collier County Ordinance 5.06.00 and 04.02.16. If changes to the code are necessary, they would need to be brought to the BCC as an amendment to the Land Development Code and approved by the BCC. The only regulation the CRA Advisory Board has the right to grant permission for is the deviation from is the size of the mural. Debrah inquired how the Board would like to



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resolve enforcement issues when a mural is not in compliance—send Code Enforcement with a citation from the County, or draft a letter from the Advisory Board with the option of modification within a set time frame. Chairman Maurice stated he would reach out to the owner at the Gardenia and try to resolve the issues with the non-compliant mural and asked that no further action be taken. There was discussion regarding the Mermaid mural and the owner Amanda Jaron spoke regarding her mural and she requested that the Board work on managing the process and not the art. An adhoc committee was formed with members Laura Burns, Ms. Chevalier, and Paul Arsenault to review the murals and they will come back to the Advisory Board with recommendations. Debrah requested that they include suggestions on implementation and enforcement. The committee may further develop to work on developing public art master plan for the Bayshore area and be in charge of finding artist, funds, and presenting the applications and specifics to the CRA Advisory Board. Chairman Maurice would like a clearer definition between a mural and a sign. He also mentioned that there were obvious violations, but also gray areas and appreciated the formation of a group that can deal with the gray areas. Amanda Jaron also mentioned that she is working with Waste Management on permission to paint dumpsters.

E. Sunshine Law and Code of Ethics: Tim Durham, Executive Manager, reviewed selections from the Florida Commission on Ethics and the Sunshine Law that are pertinent to the CRA Advisory Board. Primarily, he emphasized that Board members have a responsibility to put their public position above their private position, that one cannot utilize their public position to benefit privately, what constitutes a voting conflict and how to best handle it, not accepting gifts or compensation for votes, and restrictions in communication outside Board meetings. Any questions in reference to the Florida Code of Ethics, the Sunshine Law, or other political ethical issues concerning Board members can be addressed by contacting Jeff Klatzkow, in the County Attorneys' Office. Board members were advised to make wise decisions to protect themselves.

IX. New Business:

- A. Review of Annual Report:** Tami let the Board know that staff is on a 2nd draft of the report. It should be ready for review by the Board at the March meeting.
- B. 2018 Work Plan:** Debrah verified with the Board their points of focus for 2018: Update of the Redevelopment Plan, closing on the Mini-Triangle, progression on the 17 Acre Cultural Center plans, and the Thomasson Dr. project.
- C. Vacant Parcel for sale—3321 Bayshore Drive:** Tami mentioned a property that is possibly for sale. The owner approached the CRA directly to inquire about interest in purchase. The lot has not officially been put up for sale, ergo no asking price as of yet. If the Board is interested an appraisal can be done. Maurice and Peter suggested it would be an ideal location for parking concerns with the surrounding businesses, but agreed it would be impractical to get an appraisal for a property that is not yet up for sale. Debrah asked if they would like staff to ask the property owner if they would be willing to sell at appraised value. Peter made a



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motion to have staff ask the potential seller if they would be willing to sell the property to the CRA for the appraised value. Karen Second. 5 Yeas: Peter, Karen, Maurice, Steve, Mike. Ron and Shane had already departed. Larry was not in attendance.

- X. **Project Updates: Project Manager's Report:** Tami Scott, Senior Project Manager, highlighted a few projects. She mentioned that the previously voted on zoning issue for Wolcott Marines has since been determined to be unnecessary. She also mentioned the suggestion by Transportation to take out part of the median and put in a turn lane for the Mattamay Homes project. There was some clarification and discussion on the entrance/exit for the proposed Racetrac site. Debrah mentioned that Cirrus Point was off the project list but that staff had met today with Mr. King who is interested in developing the site. He is completing his due diligence of the site. He is looking for additional density but is seeking market rate units. He is interested in seeking units from the Bayshore Density pool and develop the site for market rate homes and removing the Affordable Housing requirement. Several questions of clarification to Debrah from Board in regards to the developer, the current ordinances, as well as the Blue Zone concept of integration. The Board reached a consensus of support of the project pending review of the details.

XI. **Correspondence and Communications:**

- A. **US 41 Corridor Study:** The final meeting for US Corridor Study will be on February 21, 2018.
- B. **Call for Artist Flyer:** A flyer for a juried Art Show on February 17th, 2018 from 10am to 3pm, at 3700 Bayshore Drive.
- C. **MPO Bike/Ped Master Plan Survey**—Debrah pointed out that the survey is in the agenda packet, as well as online.

XII. **Advisory Board General Communications:**

- A. **Racetrac:** Some general discussion about the Racetrac. Points of interest: Additional traffic, issues with easement, it is within the 500ft of another gas station, the need to change the timing on the stop light, working in conjunction with CVS, and the taxes on the parcel. Debrah reminded the Board that they are not being asked to weigh in on the decisions, but if they want to incorporate into code that all developers must present to the CRA Board, it can be worked into discussion for the Redevelopment Plan.
- B. **Crime Update:** Karen requested a crime update. Sheriff Mike Nelson will have a 6 month update at the next meeting.
- C. **Starbucks:** The Board inquired about why they have not heard anything on the Starbucks development. Tami gave a short, generalized accounting of the process by which something is brought to the Board's and/or Staff's attention.



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- D. **Density Bonus:** The Board had several questions about Mattamay Homes and their inability to come to a Board meeting. Debrah informed them that they may need to look at the criteria for the Density Bonus and perhaps make it mandatory for developers to present to the CRA Advisory Board.
- E. **Meeting Format:** Peter inquired about how the staff formats the meetings and approves presentations. Tim suggested a Consent Agenda—items that are informative, in the packet, and can be brought forward for discussion if need be, otherwise they don't have to be brought up. Debrah suggested perhaps limiting the number of presentations to 2 a month and 10 minutes each. Peter requested that a financial update be include each month.

XIII. Staff Communication:

- A. **Haldeman Creek:** Sheriff Mike Nelson gave an update on missing Marker # 15. It is on the Sheriff's List for replacement. There are a total of 38 missing markers and marker #15 is low priority. Debrah let the Board know that Ashbritt would be looking at the creek this week and briefing the Haldeman Creek MSTU about what needs to be done for Irma clean up soon.
- B. **Weekend Warriors:** Sheriff Mike informed the Board that the Weekend Warriors had been in the Bayshore area over the previous weekend cleaning up liter. He also stated that they noticed a broken Traffic Counter which has been put on the top of the list to be fixed.

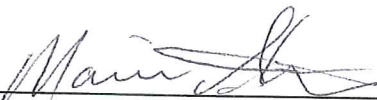
XIV. Citizen Comments:

- A. **Cleaning:** A community member asked for information on the happenings behind the CVS. Shirley mentioned the owner was having the lot cleaned due to multiple complaints.
- B. **Pickle Ball Coming:** 2200 people signed up for Pickle Ball this year in under 2 hours. Only 1500 could be accepted. The East Naples Community Park has 54 Pickle Ball Courts.

XII. Next Meeting Date:

- A. Special Meeting: Monday, February 12, 2018 at 6:00p.m.
- B. Regular Meeting: Tuesday, March 6, 2018 at 6:00p.m.

XIII. Adjournment – The meeting adjourned at 9:42 pm by Chairman Maurice Gutierrez



Chairman Maurice Gutierrez