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COMMUNITY REDEVELOPMENT AGENCY
ADVISORY COMMITTEE

held at

SOUTHWEST FLORIDA WORKS
750 South Fifth Street
Immokalee, Florida 34142

DATE: September 19, 2012

TIME: 8:30 a.m.

ADVISORY BOARD MEMBERS:

- MICHAEL FACUNDO, Chairman
- FLOYD CREWS, SW Florida Service & Supply
- EVA DEYO, Immokalee Water & Sewer
- JULIO ESTREMER, Florida Gulf Coast University
- ANGEL MADERA, Main Street Cafe
- CARRIE WILLIAMS, Williams Farms
- ROBERT HALMAN, University Extension Service
- EDWARD "Ski" OLESKY, Lake Trafford Marina
- JAMES WALL, SWF Workforce Development Board
- JEFFREY RANDALL

STAFF MEMBERS:

- PENNY PHILLIPPI, Immokalee CRA
- JEFFREY NAGLE, Project Manager, MSTU
- BRAD MUCKEL, Immokalee CRA
- CHRISTIE BETANCOURT, Immokalee CRA

ALSO PRESENT: COMMISSIONER JAMES COLETTA, JR.

1 CHAIRMAN FACUNDO: I'm calling this meeting
2 to order.

3 Can we get a roll call and announcements? I
4 guess we'll start with --

5 MS. PHILLIPPI: Mike Facundo.

6 CHAIRMAN FACUNDO: Here.

7 MS. PHILLIPPI: Floyd Crews.

8 MR. CREWS: Here.

9 MS. PHILLIPPI: Jim Wall.

10 MR. WALL: Here.

11 MS. PHILLIPPI: Eva Deyo.

12 MS. DEYO: Here.

13 MS. PHILLIPPI: Julio Estremera.

14 MR. ESTREMERERA: Here.

15 MS. PHILLIPPI: Jeff Randall.

16 MR. RANDALL: Here.

17 MS. PHILLIPPI: Carrie Williams.

18 MS. WILLIAMS: Here.

19 MS. PHILLIPPI: Ski Olesky.

20 MR. OLESKY: Here.

21 MS. PHILLIPPI: Robert Halman.

22 MR. HALMAN: Here.

23 MS. PHILLIPPI: Dan Rosario is absent.

24 Angel Madera.

25 We have a quorum.

1 MR. CREWS: Couldn't find my sign.

2 MS. BETANCOURT: You're right where I had
3 you.

4 MS. PHILLIPPI: Right.

5 CHAIRMAN FACUNDO: And there are
6 announcements. And I guess Mike -- see if he
7 wants to get there. Got the introduction.

8 MS. PHILLIPPI: We're going to adopt the
9 agenda.

10 CHAIRMAN FACUNDO: Okay.

11 MS. PHILLIPPI: Okay. We have changes to the
12 agenda for this morning.

13 Item F, Old Business under the first project
14 manager, the South Florida Water Management
15 District Big Cypress Basin.

16 We asked him to postpone his Q and A over
17 here until October. So, if we could take that --
18 remove that from the agenda.

19 We also want to announce that on
20 September 26th, you know, this board requested
21 that the MSTU lead in -- in conjunction with the
22 CRA, and on the 26th they're going to be here in
23 this room at 10:00 o'clock in the morning.

24 Oh, the next room. But in this building,
25 right, at 10:00 a.m., so we can have our joint

1 meeting that morning with those folks.

2 So, I wanted to insert that announcement.

3 CHAIRMAN FACUNDO: Okay. Can I get a
4 motion -- can I get a Motion to Adopt the changes?

5 MR. RANDALL: So moved.

6 MR. OLESKY: Second.

7 CHAIRMAN FACUNDO: Any discussion?

8 All in favor?

9 (A chorus of ayes.)

10 CHAIRMAN FACUNDO: Any opposed?

11 (No response.)

12 CHAIRMAN FACUNDO: All right.

13 The next item, the Immokalee Area Master
14 Plan.

15 MS. PHILLIPPI: I'm going to get up and talk
16 about this.

17 CHAIRMAN FACUNDO: Okay.

18 MS. PHILLIPPI: I'm going to go up front so
19 everyone can see here. Hopefully you can all hear
20 me.

21 As you know, last Tuesday, the Board of
22 County Commissioners considered in a public
23 hearing the Immokalee Area Master Plan for
24 approval, and the motion was made to address the
25 eight changes that Commissioner Henning had

1 suggested to the Master Plan.

2 And then Commissioner Coletta made the motion
3 to take it back to the Advisory Committee and to
4 get an action from this committee on those eight
5 items.

6 So, what we would like to do -- I know
7 there's people who came here this morning and have
8 to get back to work, so I'm going to go over those
9 eight items, and then we're going to ask our
10 speakers to come up and speak, and then we'll let
11 our speakers leave so they don't have to, you
12 know, miss work today.

13 And then afterwards, we'll talk about the
14 items one by one and vote on them, hopefully, and
15 have some suggestions to take back to the Board of
16 County Commissioners.

17 So, I gave everybody one of these, the list
18 of the eight.

19 So, the first one is this area on this -- on
20 the Proposed Future Land Use Map, this area here
21 that show the slash marks in gray, and it's marked
22 IMU, which is Industrial Mixed Use.

23 And Commissioner Henning suggested that that
24 be removed from the Future Land Use Map, so that
25 would put this area back to low residential.

1 As you recall, as we were developing the
2 Master Plan, the County Planner suggested that we
3 have a buffer between residential and commercial,
4 between the industrial and the
5 residential/commercials.

6 So, that's why that was there in the first
7 place. That was the first change that
8 Commissioner Henning suggested.

9 The second change was -- is this area with
10 the red dots around it with the Future Land Use
11 Map. This is 103 acres.

12 The Airport Authority had initially come to
13 this committee and asked us to insert those 103
14 acres because they wanted to purchase them to
15 extend the runway so they could get cargo planes
16 and those sorts of things in here.

17 So, this 103 acres, we -- they asked us to
18 put into our Comp Plan Amendment so they wouldn't
19 have to spend money to do a Comp Plan Amendment
20 when they get ready to buy that land.

21 So, that's number two.

22 Commissioner Henning has asked that that be
23 removed from the Future Land Use Map.

24 The third one is this area in gray. That's
25 also IMU without the slash marks. You see it from

1 way down by New Market -- I mean, New Harvest Road
2 all the way up to the end of Alachua Street and
3 the way around.

4 So, if you want to look at that more closely
5 later, you can.

6 And what they've asked us, to leave it at its
7 existing designation, which is Commercial (sic)
8 Center Industrial, so that designation, CCI, was
9 completely removed from the Master Plan.

10 So, they're asking that that stay in the
11 Master Plan.

12 So, just reading it quickly from the current
13 Master Plan, the Commerce Center Industrial
14 District, the purpose of this designation is to
15 create a major activity center that serves the
16 entire Immokalee Urban Designated Area and
17 surrounding agricultural area.

18 The Industrial District shall function as an
19 employment center and shall encourage industrial
20 and commercial uses as described in the Land
21 Development Code for the C1 through C5, Industrial
22 and Business Park Zoning Districts.

23 Higher intensity commercial uses, including
24 packing houses, industrial fabrication operation
25 and warehouses shall be permitted in this

1 district.

2 Accessory uses and structures customarily
3 associated with the uses permitted in this
4 district, including offices, retail sales and
5 structures, which are customarily accessory and
6 clearly incidental and subordinate to permitted
7 principal uses and structures are also permitted.

8 So -- so, that's what this would change to,
9 at Commissioner Henning's request, to -- to
10 Commerce Center Industrial.

11 Then we move on to Item Number 4, and as you
12 know, during the process of our public meetings,
13 Mr. Davenport, who is a local businessman in
14 Immokalee, suggested certain language be changed
15 in Policy 6.1.7.

16 And, so, what you see before you is the
17 existing policy, first with Mr. Davenport's
18 strike-through and underlined, and then an
19 underlined sentence, which was inserted by Bob
20 Mulhere on Tuesday, or suggested, at least.

21 So, if you look at 6.1.7, recall that the
22 Advisory Committee has a recommendation on the
23 table recommending that that policy be completely
24 stricken from the current -- the Proposed Master
25 Plan.

1 So, it doesn't change until we get to B,
2 which is on your Page 2 at the top, existing
3 mobile home parks, as of the effective date of
4 this policy, are allowed in all of the Immokalee
5 Urban Area.

6 That's what it would change to.

7 And then C is struck in its entirety and
8 added is nonconforming mobile home parks, which is
9 the new C.

10 The purpose of these provisions is to
11 recognize that there are nonconforming mobile home
12 parks in the Immokalee Urban Area, to provide
13 incentives to upgrade these parks while requiring
14 the elimination of substandard units and to allow
15 park owners to take advantage of alternative
16 development standards in order to cause some
17 upgrading of conditions that would normally be
18 required of conforming mobile home parks and that
19 were in essence -- I'm sorry -- were in existence
20 before November 13th, 1991.

21 No Site Plan revision or agreement will be
22 necessary between Collier County and the property
23 owner.

24 And, again, we'll discuss these in detail
25 once the public speakers have finished speaking.

1 Then to that Bob Mulhere added, this will be
2 accomplished through an updated Mobile Home Site
3 Improvement Plan Process, which is set forth in
4 the Land Development Code, and which will remain
5 in effect for a period of not less than three
6 years.

7 So, that is the fourth one that
8 Commissioner Henning suggested.

9 The fifth one is to put Farm Worker Labor
10 Camps as an allowable use in the Commercial
11 District by adding existing Policy 1.5.2 to the
12 proposed 6.1.4.

13 So, I put on here both of those two policies
14 for you so you can see them, meaning, transient
15 housing or migrant labor camps, and their
16 definition, may be developed in areas designated
17 for commercial land uses on the Immokalee Future
18 Land Use Map. Such housing must meet the code,
19 which is updated at this point.

20 There's a new code, which you'll see in the
21 6.1.4, so some that of language in 1.5.2 would
22 have to be updated in any case.

23 So, in other words, any -- anywhere in the
24 downtown district, farm labor camps would be
25 allowed.

1 Number 6 on the list is to place a cap on
2 nonresidential density and intensity at seven
3 million. The density and the Commercial Mixed Use
4 District to the same as current.

5 And we're referencing proposed Policy 6.1.10,
6 nonresidential development. You'll see there, it
7 says nonresidential development in the urban area
8 will be limited to no more than 8.5 million feet
9 through the 2025 Planning Horizon.

10 So, he's requesting that that be changed to
11 seven million. It's currently five, is my
12 understanding.

13 Number 7, Commissioner Henning asked for a
14 hurricane policy because State Road 29 is a
15 designated hurricane route.

16 So, the suggested new policy would be, there
17 would be no change in State Road 29 in the
18 Immokalee Urban Area that will result in a
19 reduction of capacity until an alternative route
20 and funding for said route are identified.

21 State Road 29 shall remain subject to
22 concurrency until said route and funding are
23 available.

24 So, that would be a brand new policy.

25 The last one, Number 8, remove or modify

1 Policy 4.2.2 and 4.2.3 in the long-range
2 transportation plan improvements, and I've written
3 that out for you as well.

4 Basically, the -- the three suggestions that
5 we had to investigate would be stricken, both
6 4.2.2 and 4.2.3, and support to the airport bypass
7 of Highway 29 Bypass Route would be stricken as
8 well.

9 Those are the eight items that we will be
10 looking at a little bit later, as soon as the
11 public speakers are done, so we can let them go
12 back to work.

13 Okay. So, Christie, do you want to call the
14 first speaker up?

15 MS. BETANCOURT: Magda Ayala.

16 MR. CREWS: Do people on this board have to
17 sign up as a public speaker?

18 MS. PHILLIPPI: Of course.

19 MR. CREWS: If we're the speaker, we've got
20 to sign up.

21 MS. PHILLIPPI: You can speak after the
22 public speakers.

23 MR. CREWS: That's all right. Go ahead.

24 MS. PHILLIPPI: Sorry.

25 That's okay.

1 MS. AYALA: When I voted --

2 THE COURT REPORTER: Ma'am, could you state
3 your name and --

4 MS. AYALA: Okay. My name is Magda Ayala and
5 I am a lifelong resident of Immokalee.

6 When I voted, I voted for all this -- all
7 this change is what I voted for, and I don't think
8 you should, as an Advisory Board, take what I
9 voted on and say, oh, no, that's not good enough.
10 You know, you voted for this but you can't have
11 that.

12 We want Immokalee to change. You're saying,
13 okay, we want this, no, take it out, put it back
14 the way it was, no, take this out, put it back the
15 way it was, leave this mess the way it was, leave
16 this mess the way it was.

17 So, why did we spend all this money to make
18 some changes and now you're saying, oh, no, put it
19 back the way it was?

20 What do you want? Do you want Immokalee to
21 stay as is for how long?

22 I've been here for a long time and have
23 finally seen some kind of change. We get
24 together, the people that live here, to work on
25 this plan. I think it's a good plan to change

1 this place.

2 And commissioners are asking us to -- oh, no,
3 we don't want that, you leave it the way it was.

4 Why? We want change.

5 So, for me, for you, as an Advisory Board, I
6 don't think you should change anything. This is
7 what the people of Immokalee that worked on this
8 plan wanted. Why should you change it? We want
9 more of the same that it was?

10 You spent \$500,000 over the course of ten
11 years. You've spent the time and the efforts of a
12 lot of residents have worked on this plan, and now
13 to say, oh, no, just leave it the way it was.

14 Well, who's happy with it the way it was?
15 Well, I'm not. And I don't think, as a board, you
16 should change anything. And I'm here to tell you
17 that I don't think you should change anything.
18 And if you do, then shame on you, too.

19 Thank you.

20 CHAIRMAN FACUNDO: Thank you.

21 MS. BETANCOURT: Randy Johns.

22 MR. JOHNS: Good morning. Randy Johns for
23 the record.

24 As you know, I've been an opponent through
25 this matter when I put in --

1 MR. CREWS: Turn the volume up, Randy,
2 because I'm deaf.

3 MR. JOHNS: Ain't nothing to speak here.
4 Sorry.

5 Tom has offered eight suggestions and a
6 compromise to try to move the plan forward. I
7 suggest that you take the compromise that he's
8 offered.

9 This point, this plan has been designed to
10 take people's property rights away from them, a
11 lot of you people don't understand that, but if
12 you take -- some of the people have industrial
13 zoning here. You take it away and give them the
14 IMU, you've restricted their uses.

15 This -- some of the concerns I have is you're
16 going to have CMU down Main Street and that's the
17 evacuation route.

18 Right now you're allowed about 5,000
19 residential units on that Main Street. If you
20 pass a CMU and put no restrictions on the
21 residents, you're going to have 20,000 on Main
22 Street. You're going to restrict that evacuation
23 route.

24 The -- the C1 through C4 uses that you're
25 allowing also has C3 in there which restricts C1

1 and C2 uses by saying that they have to be used in
2 a neighborhood shopping center setting.

3 This plan doesn't have those neighborhood
4 shopping center settings to be allowed C1 and C2,
5 so you can refer to them.

6 You're also going to have an overlay here
7 that's restricting the C4 uses. That's done by
8 design by some -- by some of the people on the
9 board, but I don't think all of you understand
10 that you're restricting these C4 uses.

11 You also have used the Code Enforcement to
12 take away some of the property rights. And a lot
13 of people in here say that you understand this
14 plan and you know what's in it.

15 If you do, then you know that the case that
16 you guys have against some of the property owners
17 here now, you claim he has industrial zoning, but
18 you forgot to tell him they had CCI. CCI allows
19 him a legal use of what he's doing.

20 But not one of you stood up and said, hey,
21 this guy's got CCI. You just got to press forward
22 to try to put him under, and that ain't right.

23 One of the -- one of the -- one of the
24 largest landowners on Immokalee since I've been
25 involved in this last 18 months, not one time have

1 Coletta and you all made --

2 MS. BETANCOURT: Your time is up.

3 MR. JOHNS: -- by the board and put Tom
4 Henning in a bad light, and I'm going to suggest
5 to him that he don't vote on this.

6 MR. BLOCKER: Jerry Blocker for the record.

7 One of the big -- we own a lot of property
8 here. I don't want to restrict Immokalee. I
9 don't want to keep Immokalee the same. Where
10 people come up that I did, that's -- that's just
11 wrong. I want -- I want to be able to prosper.

12 So, if I felt that this plan that we have
13 now, the Immokalee Area Master Plan that is in
14 place now, no one has stepped forward.

15 Our problem that we have in this town is our
16 Land Development Code. The plan we have now, we
17 can still move forward with and what the few
18 suggestions that Tom Henning has put out there is
19 a -- is a move in the right direction.

20 It's not trying to keep Immokalee the same.
21 It's trying to protect property rights.

22 Say people used to say that the Bert Harris
23 claim is coming against the county, things like
24 that.

25 You just can't give -- once you give people

1 property rights, you can't take it away from them.
2 And that's what he's trying to prevent, I feel,
3 in -- in this case.

4 I suggest you -- you -- you take a hard look
5 at this. It's -- it's not trying to stop the
6 plan. It's not trying to restrict the plan. It's
7 moving in the right direction.

8 I suggest you take a look at it, approve
9 Tom's suggestions. It's a -- it's a move -- it's
10 a move in the right direction, I feel, and I just
11 hope you consider it.

12 Thank you.

13 MR. LUNDIN: Hi, I'm John Lundin. I was at
14 the Board of County Commissioners' meeting on
15 September 11th when this item -- it failed to pass
16 because it didn't have a second for the motion.

17 And this document that you're all looking at
18 today, it doesn't include the main issue that
19 Commissioner Henning requests, which was a
20 contentious issue that -- that did not allow it to
21 be passed.

22 There is nothing in here about removing the
23 Immokalee Airport Master Plan. That was the issue
24 that stopped us from being passed at a county
25 commissioner meeting.

1 But this document does not include that
2 issue. So, I'm not -- I have to say, legally,
3 this document is not accurate to what happened at
4 the commission meeting on September 11th.

5 Commissioner Henning specifically -- this is
6 the last thing he requested out of this whole
7 list. Everything else here is very accurate.

8 Commissioner Henning requested and
9 Commissioner Coletta agreed to remove all these
10 items except for -- when Commissioner Henning
11 requested to remove the Immokalee Area Airport
12 Master Plan. Everybody disagreed, and that's what
13 killed -- killed this item at the agenda.

14 So, I have to ask why does this document here
15 not include that item that Commissioner Henning
16 requested because that was the -- the crucial item
17 for the Immokalee Area Master Plan Amendment to
18 pass, that the Airport Master Plan be removed.

19 But this document -- there's only like a
20 small reference to one part of the airport on
21 here.

22 So, I have to tell everybody who wasn't there
23 at the commission meeting, you are being misled by
24 this document.

25 This document does not include the main issue

1 why it didn't pass. Commissioner Henning
2 specifically requested that the Airport Master
3 Plan be removed.

4 And, so, Penny, I would like to ask you why
5 is it not included in this document?

6 MS. PHILLIPPI: There's no such thing. It
7 doesn't exist.

8 MR. LUNDIN: Then why was that the issue that
9 the commissioners couldn't agree on?

10 MS. PHILLIPPI: It was a -- it was a -- it
11 was a non-issue because there is no Airport Master
12 Plan that's been approved by the board.

13 There's an Airport PUD that's already been
14 approved by the board and we have no control over
15 that.

16 So -- but to say it includes Airport Master
17 Plan is simply not true.

18 MR. LUNDIN: Okay. You were at the meeting.
19 What were they talking about then when --

20 MS. BETANCOURT: One minute.

21 MR. LUNDIN: -- when Commissioner Henning
22 brought up that issue of the Immokalee Airport --

23 MS. PHILLIPPI: I think it was clarified. We
24 can go back in the record and look --

25 MR. LUNDIN: But you remember --

1 MS. PHILLIPPI: -- but I think that issue was
2 clarified. I -- succinctly.

3 MR. LUNDIN: But that was the reason the plan
4 did not pass. The amendment did not pass because
5 of that one issue.

6 MS. PHILLIPPI: I disagree, but --

7 MR. LUNDIN: Well, I was just telling
8 everybody, if you weren't at the meeting there,
9 that was the main issue.

10 Commissioner Henning requested that the
11 Immokalee Airport Master Plan be removed and that
12 is not included in this document, so I think
13 you're all being misled.

14 Thank you.

15 MS. BETANCOURT: Bill Deyo, followed by
16 Daniel Gonzalez.

17 MR. DEYO: I'm Bill Deyo.

18 We worked long and hard. I wasn't at all
19 these hearings by the Immokalee Beautification
20 Committee.

21 I know how hard people have worked for this
22 Master Plan, how much money we've spent on it, and
23 to totally gut it because a couple commissioners
24 don't understand, refuse to understand, is totally
25 ridiculous. We voted on this. And to remove

1 this, why?

2 So, some people that own most of Main Street
3 can't lease it to some -- can't lease theirs?

4 And a land developer from Naples is speaking
5 on our CR in our behalf? Why? What's the stake?

6 I just think we ought to go forward as is and
7 not gut it.

8 MS. BETANCOURT: Daniel Gonzalez.

9 MR. GONZALEZ: Good morning. My name is
10 Daniel Gonzalez and I work at Lozano's Restaurant
11 here in Immokalee.

12 The thing is here that's going on with this
13 Master Plan thing is a good idea, but we have a
14 couple of people here that always been fighting
15 this stuff. They know who they are.

16 I want to move forward. Now, maybe that's a
17 bad word here, move forward, but it feel like
18 we're moving backwards here.

19 But, Henning, I mean, he doesn't represent
20 Immokalee as far as I know. I thought the
21 commissioner was Coletta here for the past ten
22 years.

23 So, Henning to come here and say, well, let's
24 move this, move that, he needs to worry about
25 where he's at.

1 I want the commissioner that's here now to
2 take care of Immokalee, Master Plan, CRA, all work
3 together, because back then, this used to be a
4 farming town, but everybody knows as a farming
5 town, it's going down.

6 We lost so many farmers here so we can't
7 depend on the farming. Our restaurant used to be
8 booming during the farming season. Now it's a hit
9 and a go here. It's not the same no more.

10 We need to move forward, try to fix up this
11 community.

12 As you know, Estero? Estero used to be a
13 farming town. Now, Estero, it's a booming town
14 all over again because they -- they're working
15 together. The Master Plan, their CRA works good
16 over there.

17 I wish I had a restaurant in Lee County,
18 which I do have one in Lehigh. Lehigh, it's a
19 different town. It's not like Immokalee, but they
20 work together there, too.

21 And it's hard to build something here in
22 Collier County now when there's people fighting
23 each other.

24 I mean, born and raised here, 46 years old.
25 I've been here all my life. I've done a lot of

1 things for this community. And I'm still going to
2 do it.

3 But the stuff that I see every time here is
4 the -- it's the -- it's the power or there's no
5 power here. Whoever's got power here is going to
6 move forward. You know what? It needs to change.
7 It needs to change.

8 I know some of these main streets are owned
9 by one company. The landowner, there's a lot.
10 There's like three big owners here in Immokalee.

11 You know what, sell the land to development.
12 Let's move forward. We would have more stuff
13 here. We -- we don't have no shopping centers
14 here. We don't have nothing here.

15 This Master Plan, I guarantee you, will give
16 us something. It will give me hope. I don't want
17 to move from Immokalee regardless of we're a small
18 town. I was born and raised here. I'm not going
19 to move from here and go start my business
20 somewhere else, keep on moving.

21 You know what, I'm happy here, I'm happy what
22 the commission has done in the past ten years.

23 Unfortunately, I mean, he lost this election.
24 But that's okay. We need to move forward. He's
25 done a lot here and CRA has done a lot, not only

1 for Lozano's but for everybody here. I know that.

2 So, for me to stay here, you know what, let's
3 move forward, leave it the way it is. I know a
4 couple of things that got changed here, but I'm
5 not going to agree with Henning. I'm not going to
6 do any, because he doesn't have this vote here.

7 If Coletta voted no on that, you know what, I
8 voted for Coletta no on that. I'm not going to
9 vote for Henning to come up here and change what
10 he wants to change for Immokalee. That's not his
11 future. This is our future here.

12 MS. BETANCOURT: Time.

13 MR. GONZALEZ: I want us to move forward.

14 MS. BETANCOURT: That's all the speakers.

15 MS. PHILLIPPI: So, any speakers that want to
16 leave are free to go.

17 Did you want to speak, sir? No.

18 MR. RANDALL: All right. Go right to the
19 discussion?

20 MS. PHILLIPPI: I'm sorry. Do you want to
21 take some questions?

22 Jeff wants to speak.

23 CHAIRMAN FACUNDO: Okay. Go ahead, Jeff.

24 MR. RANDALL: Are you trying to get on with
25 the discussion?

1 CHAIRMAN FACUNDO: Yes. Go ahead.

2 MR. RANDALL: The issue that I have, or not
3 the issue --

4 MR. CREWS: Turn the volume up so I can hear
5 you. I'm long distance.

6 MR. RANDALL: I'll meet you in the middle.

7 MR. CREWS: All right. Let me sit at this
8 table in the middle.

9 MR. RANDALL: You know what? I say it
10 facetiously, but maybe that's what we all have to
11 do is maybe meet in the middle.

12 I agree with everybody here who has spoken in
13 favor of the Master Plan. A lot of work, a lot of
14 time, a lot of effort, a lot of money by a lot of
15 people, and I agree that we should move forward
16 with this Master Plan, but we have to be
17 realistic.

18 We are not going to get this, so we either
19 find some way to compromise, and if we don't, we
20 won't get anything. At least that's my opinion.

21 So, when people say they don't want this and,
22 you know, they want to move forward and -- and
23 Henning, you know, is not commissioner in our
24 district, they're right. You're all right.

25 But he has -- appears to have a controlling

1 vote. There's five people on the board.

2 Commissioner Hiller is going to vote no, it
3 appears, no matter what the board says or does.

4 Commissioner Henning has given us some leeway
5 if we want to consider some of the changes that he
6 has suggested.

7 I don't know whether he's going to insist on
8 every change or some of the changes. So, as we
9 discuss this, I just wanted to put that on the
10 table. We're not going to get this Master Plan
11 without making some compromise.

12 CHAIRMAN FACUNDO: I appreciate it, Jeffrey.

13 Esto (phonetic)?

14 MR. NOE: Yes.

15 CHAIRMAN FACUNDO: Oh, we have one more
16 speaker.

17 MR. NOE: My name is Esto Noe. I've been in
18 Immokalee since I was 17 years old. I've seen
19 changes in this town probably a lot of you have
20 never seen.

21 But, yes, I worked on this Immokalee Master
22 Plan and I think it's a good one. Yes, there's
23 things that could be changed about it for the
24 better, but till we actually get into it, see
25 what's going on, we don't really know what needs

1 to be changed.

2 I say go ahead and pass it the way it is.
3 The way I'm looking at it, my personal view, the
4 voters that voted on it said yes.

5 As far as I'm concerned, all five county
6 commissioners are mandated now to pass it. They
7 don't have a choice.

8 We can always go back and amend it later
9 after we see what does need to be amended.

10 Yes, it's got some room it could be improved
11 on, but at least let's get it started.

12 Thank you.

13 CHAIRMAN FACUNDO: Sure. For the --

14 MR. CREWS: Now it's my time.

15 CHAIRMAN FACUNDO: Yes, sir.

16 MR. CREWS: I'm right back to where I was
17 when I made the motion, Jeffrey, before. Let's
18 just stop and let's go back and look at this
19 Master Plan.

20 The problem we've got, this Master Plan is 12
21 years old. This is the second Master Plan I have
22 lived through.

23 The first time Coca-Cola was going to come in
24 here and make all kinds of changes in Immokalee.
25 We didn't get nothing.

1 I bought a piece of property in an industrial
2 park, yet Code Enforcement has come in there and
3 just about totally shut me down, thrown all my
4 equipment away.

5 Is this what's going to happen to these other
6 people that get changed? Tradeport on the outside
7 of this thing was a Collier development where the
8 dark gray is. Why should they be any different
9 out there than the light gray inside?

10 The airport, non-aeronautical park, but the
11 airport PUD was supposed to be synonymous with the
12 industrial park in the Immokalee industrial area.
13 Evidently it's different. And I don't know what
14 this gray part is.

15 Folks, it's a lot easier not to give
16 something away all at one time. When you give
17 something away, you can't take it back. And I
18 think this Master Plan, we're giving too much away
19 and we're not receiving enough.

20 I have argued, trying to get the quadrant of
21 Lake Trafford rights on it, put into the Master
22 Plan.

23 Water basin. I'm trying to think of what its
24 name is. Said it was fine to put it in there.

25 Our consultant said, oh, you have to change

1 this and this and this. But we still need to
2 include that quadrant of Lake Trafford in Lake
3 Trafford.

4 Ski has a business right there. Some day
5 that might be our water supply.

6 What I'm saying is we've got a lot of things
7 that we have left out and we've got a lot of
8 things in there that we don't need and we need to
9 sit down and go back and look at this whole thing
10 over again and fix it.

11 And you all can say what you want to, but
12 whenever you change something and you don't
13 realize what you're changing, and a lot of you all
14 in here that's on this thing had not realized it.
15 The more I look at it, the more I disagree with
16 it.

17 We don't need a bypass road. That will
18 totally kill Immokalee today. We might need one
19 30 years down the road, but this Master Plan was
20 supposed to have been a 15 or 20-year life. We've
21 done used up two-thirds of it.

22 I could go on and on about this thing and I'm
23 going to quit right there. But I really think we
24 ought to stop and go back and look at the thing.

25 It's a good plan we have here. We've worked

1 on it hard, but we've got some changes that we're
2 going to have to make.

3 Another mass real change that I've been
4 dealing with at the Farm Worker Village is a thing
5 called farm labor. Farm labor needs to be totally
6 taken out of this thing.

7 If we've got farm labor, the stigma of having
8 the farm labor and not just labor, we might not be
9 able to put something uptown. It will be labor
10 and not farm labor.

11 A lot of people don't realize a lot of our
12 labor here is not farm labor. It goes to Naples,
13 it's hotel, restaurant and housecleaning labor,
14 yard-cleaning labor, construction labor.

15 Like I say, we just need to go back and look
16 at it again.

17 I quit. Anybody want to argue with me? Come
18 on, Jeffrey.

19 MR. RANDALL: No, I really don't.

20 MR. CREWS: Me and you.

21 CHAIRMAN FACUNDO: Just go ahead, Jeffrey.

22 MR. RANDALL: I really don't want to argue
23 with you.

24 MR. CREWS: No, no. We're discussing. It
25 isn't arguing.

1 MR. RANDALL: And I -- I don't disagree, but
2 the problem is unless we do something, we get
3 nothing.

4 MR. CREWS: No.

5 MR. RANDALL: And -- and -- and the only
6 thing we're doing, we're not changing the zoning.
7 All this is, is like a wish list. This is what we
8 want, this is our goal, this is what we want to
9 see.

10 So, if someone comes in and says that, you
11 know, they want to do something consistent with
12 the plan, they would have to change the zoning, if
13 that's necessary, to be consistent with this
14 Master Plan.

15 It just -- it -- it gives them a leg up. It
16 doesn't mean they're going to get the change.
17 It's still subject to approval on recommendations
18 of the Planning Commission and the board.

19 But if we don't do something, we're going to
20 get nothing. So, if we get nothing, are we
21 willing to go back to square one and start over?

22 Start it with something.

23 MR. CREWS: We've got something.

24 MR. RANDALL: We work from there.

25 MR. CREWS: I am -- I'm not saying start

1 over. I'm saying we just need to go back and look
2 at this thing before we give it all away.

3 MR. RANDALL: Well, the problem is, Floyd, we
4 don't have time. That's the problem.

5 MR. CREWS: We had the time and I'm going
6 to --

7 MR. RANDALL: So, unless we get an extension
8 from the state, we're dead.

9 MR. CREWS: No, we're not. No, we're not.

10 The original reason for starting this Master
11 Plan was because we had to get a Master Plan done
12 before we could do Land Development Codes.

13 Then on down the road they said, oh, no, no,
14 no. The Master Plan, you haven't got even the
15 Master Plan done. You have development codes,
16 those without doing the Master Plan.

17 So, why do we have to have the Master Plan to
18 start with?

19 MR. RANDALL: I'm going to ask, Penny. I
20 don't know the answer.

21 MS. WILLIAMS: It was because we were working
22 on the Master Plan that they were starting in the
23 process of the Land Development Codes, but once
24 the Master Plan was approved, then we could
25 continue with the Land Develop -- changes on the

1 Land Development Code.

2 MS. PHILLIPPI: Unfortunately, Fred Thomas
3 isn't here to answer that question, but as I did
4 my research, I noticed that on the air base
5 amendment that the county has to do every so
6 often, there were specific things that needed to
7 be changed per the state, Department of Community
8 Affairs.

9 And as they started looking at those, they
10 became bigger and bigger then. They had to up one
11 and then they wanted the community, I assume,
12 wanted a single overlay instead of all the mini
13 overlays that we have.

14 So, this actually did create a single or
15 would create a single overlay with areas for
16 industry or what industry or commercial or
17 whatever.

18 So, that was really -- this all sprung from
19 instructions from the Department of Community
20 Affairs and, therefore, from the Board of County
21 Commission.

22 MR. CREWS: But the county -- the community
23 affairs, Department of Community Affairs, no
24 longer exists.

25 MS. PHILLIPPI: Right. But the Board of

1 County Commissioners do.

2 MR. CREWS: But they still do.

3 MS. PHILLIPPI: They have to --

4 MR. CREWS: Like I say, I think we ought to
5 stop and go back and look at this thing.

6 MS. WILLIAMS: I -- I --

7 MR. CREWS: I ain't going to say nothing
8 else, Carrie.

9 MS. WILLIAMS: No. I just have a question
10 because you keep saying take away.

11 I mean, I've had two separate planning
12 companies look at my properties that I own in
13 Immokalee, our family owns, and what they have
14 told me is that it enlarges my possibilities.

15 It's not taking anything away from me. It's
16 allowing me to do more with my property.

17 MR. CREWS: Yes, it does.

18 MS. WILLIAMS: So, I don't have more choice.

19 So, you keep saying I'm taking -- we're
20 taking something away when my planners are telling
21 me that --

22 MR. CREWS: In your case --

23 MS. WILLIAMS: -- it allows me more
24 diversity.

25 MR. CREWS: -- you are on a win-win

1 situation.

2 MS. WILLIAMS: Yeah, I've seen with every --
3 I mean, not just the large piece of property, but
4 my mobile -- mobile home park, which is right over
5 here.

6 It's allowing me, if I want to, at some point
7 go back and -- and change it to Commercial Mixed
8 Use, where I could get rid of the mobile home or I
9 could keep it as mobile home.

10 That's the best -- that's a big thing for me.
11 I mean, that's a big item that I don't have to
12 leave it as a mobile home park.

13 MR. CREWS: I don't --

14 MS. WILLIAMS: I could change it to
15 commercial mixed use.

16 MR. CREWS: I didn't say that there --
17 there's nothing wrong with that. I just said we
18 need to stop and go back --

19 MS. WILLIAMS: You keep saying that --

20 MR. CREWS: -- and look at this whole thing
21 again.

22 MS. WILLIAMS: -- it's taking away from the
23 people of Immokalee, or the own -- you know, the
24 property owners.

25 And I'm having a problem understanding that

1 when it's not doing that for me. I know that it's
2 probably not doing it for other property owners.

3 MR. RANDALL: It's not taking anything -- if
4 we -- if we adopt this Master Plan as is, I'm not
5 saying we -- I think we're going to have to
6 compromise, but for purposes of discussion, we
7 adopt this Master Plan as is, in my opinion, it's
8 not -- she's right. It's not going to change a
9 thing unless you want to go in and -- I mean,
10 right now everybody continued to use their
11 property the way they're using it now, nothing
12 will change.

13 We adopt this Master Plan --

14 MR. CREWS: I was told that 25, 30 years ago,
15 and look what happened to me.

16 MR. RANDALL: I don't know. What's changed?

17 MR. CREWS: Nothing. I'm still out there in
18 the same spot. There you go.

19 CHAIRMAN FACUNDO: I -- I think -- can I
20 interject here?

21 I think what -- what I saw -- what I
22 understand is Henning brought this to -- you know,
23 made these eight, or whatever it is, suggestions,
24 the recommendations that we -- that we look at and
25 explore.

1 And I think it will be a healthy exercise if
2 we, as a board, went through each item and we have
3 to cast a vote so that we can move forward because
4 we have, I guess, September 27th is when we meet
5 again?

6 MS. WILLIAMS: Well, the board meets --

7 CHAIRMAN FACUNDO: It's set sometime this
8 month --

9 MS. PHILLIPPI: September 25th.

10 CHAIRMAN FACUNDO: -- the 25th.

11 And, so, I would like to see if we could look
12 at each item which he recommended and go through
13 them and, you know, vote on it.

14 Yes, sir.

15 MR. RANDALL: Can I make one last comment,
16 please?

17 CHAIRMAN FACUNDO: Yes, sir.

18 MR. RANDALL: The gentleman that spoke, this
19 gentlemen, he's absolutely right. It was a
20 suggestion that I raised at the board meeting,
21 adopted as is, put a moratorium in place after its
22 adoption, and then work on the outstanding issues.
23 So, he's right.

24 But what I want this gentleman to understand,
25 and maybe everybody else, is the -- this Advisory

1 Board is just an Advisory Board. It does not make
2 any decisions, other than a recommendation.

3 So, whatever we recommend, it's up to the
4 county to either approve it or reject it.

5 And, so, if this board were to say that we
6 want the Master Plan, it's going to stand the way
7 it was, people of Immokalee want it, send it back
8 to the county board, it's up to them whether
9 they're going to approve it or not.

10 The problem is -- the handwriting is on the
11 wall. They're not going to approve it if we send
12 it back the way it is. I'm not even sure they're
13 going to approve it if we make the changes because
14 I'm not sure they know what they're going to do.

15 MR. LUNDIN: I agree with you there, but I
16 believe there's some county commissioners, if we
17 did away with it right now, would still vote
18 against it, because they don't want it to go in
19 because they're going to have a little less say
20 so.

21 My part is that vote, as far as I'm
22 concerned, my personal opinion, it mandated the
23 county commissioners to approve this.

24 MR. RANDALL: It doesn't.

25 MR. LUNDIN: They should be and morally.

1 MR. RANDALL: They don't talk morals with me,
2 John (inaudible).

3 THE COURT REPORTER: I'm sorry.

4 MR. LUNDIN: (Inaudible). I'm not being
5 funny.

6 MR. RANDALL: They follow whatever the
7 regulations say and they have the right to accept
8 or reject it.

9 CHAIRMAN FACUNDO: Exactly.

10 Can we -- one -- one last --

11 MR. CREWS: I've two things and I'm going to
12 quit after you.

13 CHAIRMAN FACUNDO: Okay. We -- we want on
14 this --

15 MS. WILLIAMS: I just want to comment on --
16 kind of follow up on his comment, that I feel like
17 we're kind of at a disadvantage, too.

18 I just got this this morning. I didn't get
19 it in my e-mail until 10:30 last night.

20 You know, Henning hasn't had an
21 opportunity -- an opportunity to -- even the
22 people that have objections or these changes,
23 we've had it over years, more, ten years.

24 I know I've been in here for what, two years,
25 working on this.

1 I agree with Jeffrey, that maybe approving it
2 with a moratorium so we can all sit down at the
3 table. I know there's got to be a compromise, but
4 right now we're at a disadvantage.

5 Number one, we don't have our planner here.
6 I'd like to hear his input on some of the changes
7 and what effect it's going to have before we go,
8 yeah, let's do it.

9 And to -- to go over these and say -- like
10 you said, I think even if we changed them, there's
11 going to be something at that meeting that's not
12 going to fly, so --

13 MR. LUNDIN: Can we get a motion on that?

14 CHAIRMAN FACUNDO: Well --

15 MR. CREWS: Well, just -- just hang on.

16 MS. PHILLIPPI: They really need to -- they
17 really instructed this Advisory Committee to look
18 at each one of these items and vote on them in an
19 emergency meeting.

20 We didn't call it an emergency meeting
21 because we have this regularly scheduled meeting.

22 So, I mean, all the discussion is great, but
23 it doesn't mean anything at the end of the day.

24 We have to vote on these items and tell them.

25 Do you want this or not? It's that simple.

1 MR. RANDALL: Can I ask Commissioner Coletta
2 a question?

3 MS. PHILLIPPI: Yes.

4 MR. RANDALL: Okay. Based on your history,
5 Commissioner Coletta, and your experience with the
6 board, do you think that they would entertain a
7 recommendation by the CRA that they adopt the plan
8 as is and then impose a moratorium so all these
9 issues that are raised can be discussed?

10 COMMISSIONER COLETTA: You know, that --
11 that's -- that's an interesting concept. You know
12 if -- it would possibly be a fallback.

13 You do have some -- the issues though of
14 what's right here, presented here today, which you
15 got to consider -- and the reason I'm here today
16 is to just listen to what you have to say.

17 At the end of the day, whatever you decide is
18 what I'm going to back. It's that simple.

19 It's not my plans. It's the Collier County
20 Commissioners' Plan. It's your plan. Okay?

21 So, at the end of the day, you do what you
22 think is right. You give some room for
23 negotiations and use that room.

24 If you want to stay firm, I'll support you on
25 that. If you want to accept it just as

1 Commissioner Henning proposed, I'll put that
2 forward, too.

3 And it's your call. You're a community. You
4 have to make that decision.

5 Now, when I said this numerous other times to
6 decide what's come up before you before, it's not
7 my plan. I'll support whatever you come up with.

8 MR. RANDALL: Thank you.

9 COMMISSIONER COLETTA: Thank you.

10 MR. CREWS: I'm going to give you one more
11 example.

12 If you read down through this thing,
13 somewhere it says in the industrial park that all
14 the packing has to be done in a totally enclosed
15 building.

16 Remember that, Brad?

17 That shouldn't be in there.

18 MS. PHILLIPPI: But that's current. That's
19 in existence. That is current. That's not --
20 that's current. That's not proposed. That's
21 already --

22 MR. CREWS: Well --

23 MS. PHILLIPPI: -- in existence.

24 MR. CREWS: -- what I'm saying, these are the
25 things we ought to straighten out before we go

1 frontwards.

2 MS. WILLIAMS: She's saying it's already in
3 place right now with the Master Plan you've got in
4 place right now.

5 I mean, we're not changing anything. That's
6 what --

7 MR. CREWS: That's just one. That's the
8 point I'm pointing. There's things that we need
9 to back off and change.

10 Now, Mr. Coletta, I had got -- this is the
11 last thing I'm going to deal with and shut up.

12 MS. PHILLIPPI: That's what you said before.

13 MR. CREWS: I'm good at that.

14 If this thing does not pass, how can we bring
15 it back to light and how long does it take and
16 what is involved in just amending with the -- what
17 we want to change on top of the old Master Plan,
18 which would be almost exactly what we're trying to
19 pass here?

20 COMMISSIONER COLETTA: Well, yeah. I'm glad
21 you brought that up. And what I'm going to say is
22 personally -- personal opinion.

23 MR. CREWS: It's a loaded question. You know
24 that.

25 COMMISSIONER COLETTA: No, no. It's -- it's

1 loaded. But you're asking for a personal opinion
2 and I don't mind giving it. I give it all the
3 time. Most of the time people don't listen.
4 Thank you very much for asking.

5 I -- I do think that if it does -- if it
6 fails, you'd be best off to walk away from it for
7 a number of years. I wouldn't begin the whole
8 process again and spend the money and just keep
9 this community at edge for a long period of time.

10 I would just let this all go away, go about
11 your lives, and as things settle down and it
12 becomes -- the community becomes a little bit used
13 to what's taking place, then approach it again.
14 All the ideas could be brought forward again.

15 The sad part about it is, is that this was a
16 great plan, and all of a sudden it became a bad
17 plan.

18 MR. CREWS: No, it's not a bad plan.

19 COMMISSIONER COLETTA: No, it's not a bad
20 plan at all. But, you know, you're just talking
21 about in generality a hearing when this comes
22 before us.

23 It's -- it's -- but it's your call.

24 But I would say that if it doesn't pass,
25 rather than try to bring it back, just let it go.

1 MR. CREWS: Well, the time element is what's
2 got us right now. The biggest thing is the time.

3 COMMISSIONER COLETTA: The time element has
4 been eight years.

5 MR. CREWS: Well, I realize that. And I've
6 been up this -- I made a motion to look at it
7 before, but let's don't talk about that.

8 COMMISSIONER COLETTA: Okay.

9 MR. CREWS: Now, it's easier to amend these
10 things; correct?

11 COMMISSIONER COLETTA: No. They can be
12 amended several times during the year.

13 MR. CREWS: So, we could go back and put
14 everything we solve with an amendment on the old
15 and do it right through the next two months from
16 now.

17 MR. WALL: Could I -- Mr. Chair, could I
18 suggest we either adopt it, make a motion to adopt
19 it --

20 CHAIRMAN FACUNDO: The whole thing --

21 MR. WALL: -- with a referendum or let's go
22 through these --

23 CHAIRMAN FACUNDO: I don't think we need
24 them.

25 MS. PHILLIPPI: We've already done that.

1 CHAIRMAN FACUNDO: No. We just have to go
2 through, you know, item for item and discuss it.

3 MR. WALL: Let's do number one.

4 CHAIRMAN FACUNDO: So, we're not here five
5 hours.

6 I guess -- do you want to start, Penny, and
7 we'll start with number one?

8 MS. PHILLIPPI: Well, the first item is that
9 area on the Future Land Use Map labeled Industrial
10 Mixed Use with the slash marks, and the first
11 motion would be to support removal of that section
12 from the Future Land Use Map.

13 MR. RANDALL: What's the downside, if any?

14 MS. PHILLIPPI: The reason that it was put
15 there was a buffer between low residential and
16 industrial.

17 How long is that going to take to become
18 residential out there?

19 So, the downside is -- is, if the -- if the
20 industrial area makes a lot of noise, and I don't
21 think it's going to impact anybody out there in
22 the low residential.

23 And, remember, this was put in place for 20
24 years in the future. So, 20 years in the future,
25 we have plenty of time to add it back in if that's

1 something you want to do, but --

2 MR. RANDALL: I mean, is it absolutely -- I
3 mean, I understand why you want to buffer -- it
4 would be a great idea, between the industrial and
5 the residential, but if we don't have it, so we
6 don't have it.

7 I mean, you're right. We can put it back in
8 later or we can request to put it back in.

9 MS. PHILLIPPI: But if our airport becomes
10 the large industrial site, then it will be
11 required at some point in time --

12 MR. RANDALL: Okay.

13 MS. PHILLIPPI: -- simply because
14 environmental justice will demand it.

15 MR. RANDALL: Right.

16 So, we're -- so, we're not going to really
17 lose anything by taking it out.

18 Do you think --

19 MS. WILLIAMS: Well, we're looking towards
20 developing the airport in the future. I mean, if
21 they're going out there and looking for businesses
22 to come into the airport, it looks a lot better
23 that we've already got things in place for change,
24 than saying we've got to go back and -- and let us
25 go fix it now.

1 We've already -- we're looking --

2 MR. CREWS: It's also a limiting factor.

3 MS. WILLIAMS: We're saying, here it is, it's
4 already in place.

5 MS. PHILLIPPI: I think what a lot of people
6 don't --

7 MR. CREWS: If we could change it later.

8 MS. WILLIAMS: Excuse me?

9 MR. CREWS: Change it later.

10 MS. PHILLIPPI: People don't understand.

11 I think one thing people don't really
12 understand is that -- is if you go to the FAA
13 right now and you say, we want some money to
14 extend our airport, we want to have cargo coming
15 in, we want to be part of an inland port, we want
16 a piece of that action that's overwhelming Miami,
17 FAA is going to say, okay, so as a region, have
18 you got concerted plans in place for needed plans
19 such as RSLA, R -- Rural Land Stewardship Plan?

20 Is that adopted or is that in place? Do you
21 have a Master Plan? Is your airport zoned and
22 ready for the delivery of this kind of heavy
23 industrial flights and business?

24 And we can't say yes.

25 Hendry County can say yes to FDOT's

1 long-range plan. They're ready to extend their
2 runways. They're ready to put in more rail.
3 They're ready to widen their loads -- roads
4 because, as someone said, they worked together to
5 come up with the plans to be prepared for the
6 future.

7 We're not. We don't have our RSLA plan, we
8 don't have a new coordinated Master Plan ready to
9 move forward and we don't have an Airport Master
10 Plan that's been approved by the board.

11 So, we're not ready for the future right now.
12 This is definite.

13 Now, this is just me talking. This is my
14 personal opinion.

15 MR. RANDALL: But that industrial area or the
16 area that you're going to use as the transition
17 zone, that's not -- as far as the FAA is --

18 MS. PHILLIPPI: It's not going to --

19 MR. RANDALL: -- concerned --

20 MS. PHILLIPPI: -- build the world, right.

21 MR. RANDALL: -- that's not going to make any
22 difference to them one way or the other.

23 CHAIRMAN FACUNDO: Well, it just makes the --
24 I guess leaving it in there, it allows
25 provision --

1 MS. PHILLIPPI: It just strengthens --

2 CHAIRMAN FACUNDO: -- to be --

3 MS. PHILLIPPI: -- the plan. That's all --

4 CHAIRMAN FACUNDO: -- for a future develop --

5 MR. RANDALL: If he's out there, if we --

6 CHAIRMAN FACUNDO: But it's not --

7 MR. RANDALL: -- as necessary --

8 MS. PHILLIPPI: So, is that your motion?

9 CHAIRMAN FACUNDO: -- it's not going to --

10 it's not going to hurt it --

11 MR. RANDALL: I'd like to make a motion.

12 CHAIRMAN FACUNDO: -- if we look at it later.

13 Do you want to make a motion?

14 MR. RANDALL: Yes.

15 CHAIRMAN FACUNDO: So, what's your motion?

16 MR. RANDALL: I make a motion to remove -- or

17 to follow the language suggested by Commissioner

18 Henning to remove that area zoned --

19 CHAIRMAN FACUNDO: That L-shaped --

20 MR. RANDALL: -- that L-zoned area --

21 CHAIRMAN FACUNDO: Okay.

22 MR. RANDALL: -- number one.

23 CHAIRMAN FACUNDO: Can I get -- can I get a

24 second?

25 MR. WALL: Second.

1 MR. ESTREMER: Second.

2 CHAIRMAN FACUNDO: Julio.

3 Any discussion?

4 MR. CREWS: Yes. I want to know the
5 difference between the light gray and the dark
6 gray and why we have a difference.

7 MS. PHILLIPPI: I think that if you look at
8 it, the slash marks allow --

9 MR. CREWS: No, no, no. That's the slash
10 marks. We done removed that. That's in the
11 string.

12 CHAIRMAN FACUNDO: No.

13 MS. PHILLIPPI: We haven't voted on that.

14 CHAIRMAN FACUNDO: We haven't voted on that.
15 That's in the vote.

16 MR. CREWS: I want to know the difference
17 between the gray --

18 MR. RANDALL: The difference between the
19 gray.

20 MR. CREWS: -- and the dark there.

21 MR. RANDALL: I'm color blind. Can you point
22 it out?

23 I'm very serious.

24 MS. PHILLIPPI: Okay.

25 MR. RANDALL: Can you point the difference

1 between the light gray and the --

2 CHAIRMAN FACUNDO: But now we're shifting to
3 someone different.

4 MS. PHILLIPPI: The light gray is all this.
5 It's all industrial --

6 MR. CREWS: I understand that, Miss Penny.

7 MS. PHILLIPPI: This is a commercial --

8 MR. CREWS: But I want to know the difference
9 between that dark gray and the light gray.

10 MS. WILLIAMS: Is that an approved PUD, the
11 dark gray?

12 MS. PHILLIPPI: This is an approved PUD, this
13 purple thing.

14 MS. WILLIAMS: What about the dark gray below
15 it? Is that the one that's Collier --

16 MS. PHILLIPPI: There is a Collier Tradeport
17 there, yes.

18 MR. CREWS: That was in their development.

19 MS. WILLIAMS: Correct.

20 MR. CREWS: Now, the question I've got is why
21 do people in Immokalee have to be penalized for
22 owning industrial properties all these years
23 because they're going to put a new heavy
24 industrial out to the side?

25 And I've always argued that the light gray

1 and the dark gray should be the same.

2 MR. WALL: It's pink on this one.

3 MS. WILLIAMS: So, how do you suppose they're
4 being penalized?

5 MR. CREWS: Because if you can't do the same
6 thing in one piece of industrial, you can do it
7 over in this other piece of industrial, then the
8 difference --

9 CHAIRMAN FACUNDO: But can I just --

10 MS. PHILLIPPI: But that's the buffer.

11 CHAIRMAN FACUNDO: But can I get back --

12 MR. CREWS: No, no, no, no. We're talking
13 about -- we're talking about two different things.

14 CHAIRMAN FACUNDO: Yeah. We are talking --
15 now, we're -- we're moving to a different
16 direction.

17 Right now what's on the table is the L shape.
18 Then we get into the light gray and dark gray.

19 MR. CREWS: My whole argument started out
20 originally when we was on the telephone with this
21 thing a year and a half ago, is that we're going
22 to have a buffered zone that should be buffered
23 against the gray, and also against the orange and
24 on around the corner.

25 CHAIRMAN FACUNDO: Okay.

1 MR. CREWS: If you're going to have a buffer
2 zone, it ought to be a buffer zone. We don't need
3 a buffer zone now.

4 CHAIRMAN FACUNDO: Right. But it --

5 MR. CREWS: And there should be no
6 distinction between the light gray and the dark
7 gray.

8 CHAIRMAN FACUNDO: Okay. Can -- can we
9 address that now as a new topic? Or is that part
10 of this item, this agenda, this -- that light and
11 dark gray?

12 MR. CREWS: It was a part of what Mr. Henning
13 was getting at.

14 CHAIRMAN FACUNDO: Okay.

15 MS. DEYO: But that is addressed.

16 CHAIRMAN FACUNDO: It is addressed in here
17 but not under number one.

18 MS. PHILLIPPI: No.

19 CHAIRMAN FACUNDO: Okay. Can we get --
20 move -- can we get a vote?

21 MR. CREWS: I move we stricken this -- the --
22 the crosshatch.

23 CHAIRMAN FACUNDO: That's what's the motion
24 that was made. Then we'll get to --

25 MR. CREWS: I call for the question.

1 CHAIRMAN FACUNDO: -- your question.

2 Eventually we'll get there.

3 MR. CREWS: I call for the question.

4 CHAIRMAN FACUNDO: You call for the question.

5 We got a motion.

6 All in favor?

7 MR. RANDALL: To remove it.

8 CHAIRMAN FACUNDO: To remove it. Exactly.

9 Based upon what you said.

10 (A chorus of ayes.)

11 CHAIRMAN FACUNDO: Any opposed?

12 We've got one opposed.

13 MS. PHILLIPPI: Okay. Can you raise your
14 hands, please?

15 CHAIRMAN FACUNDO: Those -- those --

16 MS. PHILLIPPI: Those in favor, raise your
17 right hand.

18 MR. RANDALL: We're going to remove it.

19 CHAIRMAN FACUNDO: To remove it.

20 MS. PHILLIPPI: Two, three, four, five, six.
21 Six to one?

22 CHAIRMAN FACUNDO: Right.

23 MS. PHILLIPPI: And you? Yeah, you have to
24 vote.

25 CHAIRMAN FACUNDO: I'm okay to remove it.

1 MS. PHILLIPPI: So, seven. We're missing
2 somebody. Mr. Halman.

3 CHAIRMAN FACUNDO: All right. Well, let's
4 move forward.

5 Item number two, Miss Penny.

6 MS. PHILLIPPI: To remove the 103 acres to
7 extend the airport.

8 What we were doing here was simply including
9 that 103 acres in the urban area. That's all we
10 were doing.

11 CHAIRMAN FACUNDO: And that's that little red
12 area.

13 MR. CREWS: Let's talk about that.

14 CHAIRMAN FACUNDO: Hang on. Hang on. We're
15 talking about this one, right?

16 MS. PHILLIPPI: Yes.

17 CHAIRMAN FACUNDO: Okay.

18 MR. CREWS: I want to talk about it before
19 Jeffrey does.

20 CHAIRMAN FACUNDO: All right. Go ahead then.

21 MR. CREWS: It's pretty near essential for
22 the airport to have that if it's going to be
23 developed. And I want you all, all of your lives,
24 that that's panther habitat out there.

25 So, the only thing that they -- and what it

1 really is, is a cone that comes in, not so much
2 for the runway, but for a cone. There would be
3 nothing really built on very much if that cone
4 just comes in and it's a protection for the
5 airplanes coming in there. It's -- it's a part of
6 their landing gear.

7 The same thing is true down here on the 1836
8 runway, the north and south runway. They've got
9 to have a cone down here that extends across 846,
10 and they got to have a cone that goes out of the
11 purple near the -- and on the other side there, to
12 extent that.

13 So, I see nothing wrong with leaving that
14 piece of ground in there -- in this area.

15 MS. PHILLIPPI: It's called the flight work.

16 MR. CREWS: And I'm also on the airport both
17 times, so --

18 CHAIRMAN FACUNDO: So, are you making the
19 motion?

20 MR. CREWS: I make a motion that we leave it
21 in there.

22 Okay. Can I get a second?

23 MR. OLESKY: Second.

24 MR. RANDALL: I'd like to --

25 CHAIRMAN FACUNDO: Ski. Okay. Go ahead.

1 MR. RANDALL: We have a second, right?

2 CHAIRMAN FACUNDO: Yeah. We have a second.

3 Ski seconded it.

4 MR. RANDALL: As I recall what Chris said at
5 the commission, the Board of County Commissioners'
6 meeting last week, is that this is something that
7 he would like if the airport were to expand and
8 because he believes that's in the interest -- this
9 is my recollection, correct me if I'm wrong --
10 that he had no issue with removing that -- that --
11 that strip or that piece that we're talking about
12 now.

13 MS. PHILLIPPI: That's correct. He said he
14 had no issue with it.

15 And, in fact, what he said to me was they
16 would just -- it would be 40 to \$60,000 for them
17 to do a Comp Plan Amendment to include that when
18 they're ready to get it, and he would simply
19 include it in the grant request to FAA.

20 Now, that's what he said to me.

21 MR. RANDALL: So, based on that, I would ask
22 Floyd if he would consider amending your motion to
23 leave it in, to take it out.

24 And if he won't consider that, then --

25 MS. PHILLIPPI: Then we just vote on it.

1 MR. RANDALL: Well, then we should vote on it
2 and --

3 MR. CREWS: I really think it ought to be
4 left in there.

5 MR. RANDALL: Okay. That's fine. That's
6 fine.

7 MR. CREWS: The people's argument is, oh,
8 Colliers' going to have that zone building in here
9 for this airport end of the thing and it's going
10 to make their property worth so much more.

11 I don't believe it will.

12 MR. RANDALL: Well, whether it does or not,
13 our -- our executive at the Airport Authority said
14 it's no problem with him if we remove it. That's
15 all.

16 MS. DEYO: Yeah, but we can't save money. To
17 save him money, he would have to apply for that
18 when it's going to be \$40,000 on the airport.

19 MR. RANDALL: Yeah, but what we're trying to
20 do here --

21 MS. WILLIAMS: I don't understand why it's
22 such a deal breaker. I mean, I don't know why
23 Henning wants to take it out. If it's no big
24 deal, why not leave it in?

25 MR. RANDALL: If it's no -- if it's no big

1 deal to the airport, why not take it out?

2 CHAIRMAN FACUNDO: When I -- when I saw that,
3 the impression I got -- now, I'm going -- hang on.

4 I'm going -- but the impression I got, I
5 don't know if it's personal, but it seems like it
6 was personal because it has benefited the
7 Colliers.

8 Do they own that land? I don't know.

9 UNIDENTIFIED SPEAKER: They do.

10 MS. DEYO: Collier Enterprise owns it.

11 CHAIRMAN FACUNDO: So, I -- I don't think it
12 -- it's not --

13 MS. WILLIAMS: But the arguments they were
14 benefitting, they're not benefitting --

15 CHAIRMAN FACUNDO: Right. Exactly.

16 MS. WILLIAMS: -- any more financially than
17 they would if it was, you know, not in place,
18 so --

19 MR. RANDALL: If it -- if it's -- if it
20 doesn't make any difference, let's take it out of
21 there.

22 I'm just trying to find a way to move this
23 thing forward to give Commissioner Henning as many
24 of his points as he wants, if we can do it.

25 MS. PHILLIPPI: That's when you lost Coyle

1 when they suggested --

2 MS. DEYO: Yeah.

3 MS. PHILLIPPI: -- take it out. That's when
4 you lost Coyle.

5 MS. WILLIAMS: That's when you lost Coyle.

6 MS. DEYO: That money's going to come from
7 Immokalee somehow.

8 MS. WILLIAMS: Right.

9 MS. DEYO: Through the Airport Authority,
10 CRA, somebody is going to come to us taxpayers
11 to -- to make that extension later on in the
12 future.

13 So, yeah, you're right. If we make
14 Commissioner Henning happy by taking it out, then
15 we're going to lose Commissioner Coyle's vote.

16 MR. RANDALL: I wish -- I think
17 Commissioner Coyle would be more reasonable if we
18 were to explain the reason that we took this out.

19 There's a lot of discussion going on in that
20 that board meeting and people shooting at each
21 other, and maybe if we take it out,
22 Commissioner Coyle would be receptive on -- after
23 thinking about it, that he would say, well, okay,
24 we can always leave it in or not leave it in but,
25 you know, if the executive from the Airport

1 Authority says he doesn't care, then I don't care.

2 CHAIRMAN FACUNDO: Well, the -- can I call
3 the question for the motion? I guess, can we go
4 ahead and vote on this?

5 MR. OLESKY: I don't know why Henning cares
6 so much about taking it out.

7 CHAIRMAN FACUNDO: All right. So, what was
8 your motion again, Floyd? To leave it in there?

9 MR. CREWS: I make a motion we leave it in
10 there.

11 CHAIRMAN FACUNDO: All right. Can we go
12 ahead and vote. We had a second on our --

13 MR. WALL: Second.

14 CHAIRMAN FACUNDO: All in favor?

15 MR. RANDALL: To take it out.

16 CHAIRMAN FACUNDO: No, to leave it in.

17 MR. OLESKY: To leave it in.

18 MS. PHILLIPPI: Six. To take it out, two.

19 CHAIRMAN FACUNDO: All right. Item Number 3.

20 MS. PHILLIPPI: Number three is to completely
21 remove the Industrial Mixed Use designation in
22 that large gray area that you're referring to.

23 MR. CREWS: Dark gray or light gray?

24 MS. PHILLIPPI: The light gray. And change
25 it back to what it is currently, which is

1 Commercial Center Industrial.

2 So, let me show the color-blind person which
3 one. It's this section from here up through here.

4 MR. RANDALL: Okay. Thank you.

5 MS. PHILLIPPI: That's what we're referring
6 to, this heavy dark line over here. The heavy
7 industrial.

8 MS. WILLIAMS: What does it say on the thing
9 for heavy dark gray?

10 MS. PHILLIPPI: For the heavy dark gray, it
11 says, Industrial Subdistrict.

12 MS. WILLIAMS: Okay. And then the light
13 gray, the IMUs for high --

14 MS. PHILLIPPI: Industrial Mixed Use of the
15 district.

16 MS. WILLIAMS: Okay. By changing it to C1
17 through C5 and then you've got the industrial,
18 they're basically the same except you can expand
19 more in the industrial?

20 I mean, aren't you getting --

21 MS. PHILLIPPI: In the Industrial Mixed Use,
22 you have more options, but you don't capture the
23 C1 through C5. That's the value --

24 MR. CREWS: And the question --

25 MS. PHILLIPPI: -- of the Commercial Center

1 Industrial.

2 MR. CREWS: And the question that I've always
3 had, can you do the same thing in the dark gray as
4 you can in the light gray?

5 MS. PHILLIPPI: Yes, and more.

6 MR. CREWS: You can. If it is, I'll agree
7 with it 100 percent, but that isn't what I've been
8 told before.

9 CHAIRMAN FACUNDO: Go ahead, Bill.

10 MR. MCDANIELS: This is an overlay. This is
11 a plane. There's no zoning changes that come
12 about with this. There's no changes in density.

13 There's some issues that Jerry brought up
14 earlier about the conflicts with the plan and the
15 Development Code, and so on and so forth.

16 And my question is, if you're designated as
17 light industrial, and I said this on tape several
18 months ago, if you're zoned C5, Floyd, you're not
19 going to change. You have the most lucrative
20 zoning valuation that Collier County has.

21 MR. CREWS: Then Sabal House somehow got
22 persecuted and they --

23 MR. MCDANIELS: Don't interrupt because I'm
24 on a roll.

25 (Talking simultaneously.)

1 CHAIRMAN FACUNDO: Let him finish. Let him
2 finish.

3 MR. CREWS: I'll behave.

4 MR. MCDANIELS: Okay. You'll behave. And
5 you and I don't disagree on this.

6 And Jerry hit the nail on the head. There
7 are a conflict with the Land Development Code that
8 exist in Collier County in how business is
9 conducted in Immokalee.

10 And we all know that. That's the reason
11 they're treating Code Enforcement Officers like
12 they're changing their pants.

13 Okay. The issue is -- my question, and this
14 be would, Floyd, before you got on the off
15 subject, if you're light gray, and you decide you
16 don't want to be light gray, how do you change
17 that? How do you fix that?

18 If the plan suggests that you're Mixed Use
19 Industrial and you want to be C5, this is America,
20 folks, you own your land, you should have the
21 right to ask for that change.

22 If you feel it's conducive for your property,
23 for the value of your assets, you should have that
24 right.

25 My question is, arguing about Mixed Use

1 Industrial, light gray, dark gray, where it ought
2 to be, not ought to be, all that sort of stuff,
3 isn't necessarily the issue. It's not necessarily
4 the solution.

5 The solution is fixing the Land Development
6 Code conflicts that we have existing in Collier
7 County that's causing Jerry and his family their
8 issues with regard to their mobile home parks.

9 Whether it's industrial or not, the only
10 thing that this plan does is allows you, the
11 property owners in Immokalee -- by the way I am
12 one -- I was over there mowing it two weeks ago,
13 way past due -- the right to change the density on
14 your property without having the necessity of a
15 Comprehensive Growth Management Plan Amendment
16 first. It's the only thing this plan does.

17 There are suggested uses, there are suggested
18 densities, there are suggested platforms and
19 limitations, but they're all just suggestions.

20 And my question to you is, if the plan says
21 you're light industrial, and you don't want to be
22 light industrial, you think your property ought to
23 be residential, how do you fix that? How do you
24 fix that?

25 MR. CREWS: Well, now -- can I talk now?

1 MR. MCDANIELS: Yeah. Go ahead, please, sir.

2 MR. CREWS: According to Mr. Henning,
3 whatever was there, C1, C2, C3, C4, C5, all them
4 could be included in there. And there's
5 residential included in some of those C parts.
6 So, you can put residential in there. There's
7 residential in the airport PUD.

8 But, Bill, my whole question is, why have we
9 owned the land that's supposedly industrial land
10 in Immokalee for all these years?

11 Now, all of a sudden, we're light industry
12 and we've got heavy industrial outside. They both
13 should be synonymous. That's my whole point.

14 MR. MCDANIELS: That's not a condition of the
15 plan, Floyd. That's the condition of the Land
16 Development Comp with the conflicts and the
17 contradictions that exists in the --

18 MR. CREWS: And we've got a lot of mouth why
19 credit's in the eyes of the beholder.

20 MR. MCDANIELS: I understand that, but it's a
21 plan. There's a plan.

22 And I -- and I -- I -- and I didn't mean
23 to -- I sat over here and stayed quiet during the
24 public portion and I should have got up and spoke
25 then.

1 My question is this. This is America. You
2 have the right to zone your property and maximize
3 the value of your assets as you see fit. If it
4 doesn't conform to a plan, if it isn't part of a
5 plan, in order to effectuate the zoning change,
6 Floyd, you have to meet concurrency.

7 Concurrency is compatibility. A portion of
8 concurrency is the liability. If you want to
9 stick residential in next to an industrial, that
10 could be construed as a noncompatible circumstance
11 and disallow your zoning request.

12 You don't get anything with this plan. You
13 don't get anything. These are suggested uses and
14 if Carrie wants to do something different with her
15 land than what the plan suggests, she has every
16 right on this plan as an American citizen to
17 request for that.

18 She has to meet concurrency. She has to meet
19 the stipulations of the zoning regulations that
20 exist in Collier County.

21 Jerry brought up the main issue. There are
22 huge discrepancies and huge indiscretions in our
23 Land Development Code that are causing a lot of
24 the issues that we have going on out here in
25 Immokalee.

1 They have virtually nothing other than the
2 suggested changes to those LDC amendments or to
3 the -- to our Land Development Code have nothing
4 to do with this plan.

5 CHAIRMAN FACUNDO: Can I -- can I get back to
6 the item number three?

7 If you look at those --

8 MR. MCDANIELS: Can somebody answer the
9 question?

10 CHAIRMAN FACUNDO: What --

11 MR. MCDANIELS: My question, and I did have a
12 question. I got off on a tangent.

13 CHAIRMAN FACUNDO: Go ahead.

14 MR. MCDANIELS: Maybe you, Commissioner
15 Coletta.

16 If you own land in the overlay and you choose
17 to do something different than what the overlay
18 suggests -- prior to this we had a Comprehensive
19 Growth Management Plan Amendment process where you
20 had to change the color of your land from pink to
21 gray or light gray to dark gray.

22 We don't have that anymore. This is the plan
23 and if -- if -- if somebody happens to own land in
24 here, in this area here, and they would rather do
25 something that is pink or yellow or something

1 along those lines, how do they fix that?

2 COMMISSIONER COLETTA: They ask for an
3 amendment to the Master Plan. It just may --

4 MR. MCDANIELS: So, it's an amendment to the
5 Master Plan process.

6 COMMISSIONER COLETTA: That's all it is.
7 That's all it says. It's really that simple.

8 MR. MCDANIELS: That was -- that was one of
9 the questions that were popped up when you were --
10 when you were over there going off, Mr. Crews,
11 with regard to the --

12 MS. WILLIAMS: So, he can make an amendment
13 to the Master Plan and then go back to --

14 MR. MCDANIELS: And then do the zoning
15 request.

16 Well, he is C5. He doesn't come on as C5.
17 That's --

18 MS. WILLIAMS: Are we in C5?

19 MR. MCDANIELS: He is C5 and he will be C5
20 till --

21 MS. WILLIAMS: If you can see on --

22 MR. MCDANIELS: -- till he chooses to change
23 it.

24 CHAIRMAN FACUNDO: Okay. If you look at item
25 number three -- thank you -- under note, it says,

1 see number -- it says, number one above, this
2 designation wants to provide a buffer between
3 industrial and other uses.

4 So, I guess that was the purpose. Do we feel
5 that a buffer is needed there?

6 Well, I mean, that's what all -- that's what
7 it says here. Wants to provide a buffer between
8 industrial and other uses.

9 So, apparently there's heavy industrial or
10 something and then they transition into -- so, do
11 you -- do you feel that that's needed?

12 MR. RANDALL: Right now it's designated the
13 Commercial Center --

14 CHAIRMAN FACUNDO: Right.

15 MR. RANDALL: -- Industrial, right?

16 I make a motion to remove, consistent with
17 Commissioner Henning's suggestions, to remove the
18 IMU designation.

19 CHAIRMAN FACUNDO: Okay. And leave it as
20 existing CC-1.

21 MR. RANDALL: Yes.

22 CHAIRMAN FACUNDO: Okay. Can I get a second?

23 MR. WALL: Second.

24 CHAIRMAN FACUNDO: James is second.

25 Discussion?

1 MS. WILLIAMS: Well, going off on what
2 Mr. McDaniel said, we're not changing anything.
3 But why -- why are you making adjustments because
4 of Henning? Why are we going now --

5 MR. RANDALL: Because we're not going to get
6 it passed unless we try it in the --

7 MS. WILLIAMS: But we're not going to get it
8 passed either way because we're leaving that in.
9 I mean, why are we beating this up?

10 MR. RANDALL: You want to just say we're not
11 going to do anything and submit the --

12 MS. WILLIAMS: I think we should submit the
13 plan as it is.

14 MR. RANDALL: Well, respectfully, Carrie, I
15 don't believe --

16 CHAIRMAN FACUNDO: Well, I think -- I think
17 from a planning point, there was a reason why they
18 put that buffer there.

19 MS. WILLIAMS: Right.

20 CHAIRMAN FACUNDO: I don't know. Maybe that
21 was the best practice from the night transition,
22 and so I think really give it a little more
23 context as far as -- in order to have discussion
24 on that, that's what we need to really look at is
25 that the best planning practice and then having

1 that transition --

2 MS. WILLIAMS: That's why I feel like we're
3 in an injustice here. Where is our planner?

4 I mean, I would like to hear --

5 CHAIRMAN FACUNDO: And, so, it's --

6 MS. WILLIAMS: -- what the planner has to
7 say. I'm not a --

8 MS. PHILLIPPI: The planner stood up there
9 for four solid hours --

10 MS. WILLIAMS: And argued the point not to
11 change --

12 MS. PHILLIPPI: -- and part of that --

13 MS. WILLIAMS: -- correct?

14 MS. PHILLIPPI: And the video is certainly
15 available. But, no. He defended it and told all
16 the reasons why he did it.

17 He, like Jeff, was trying to find a time, was
18 trying to find a way to resolve the issue, and it
19 didn't happen.

20 Obviously, if you recall, we wanted a single
21 overlay and within that overlay we wanted to have
22 an industrial-commercial, and that was the edict
23 from the community. That was our instruction to
24 our planner. So, that's what they did.

25 So, if you look at the current land use map,

1 you can see what's in there right now and you
2 probably can figure out that it's kind of
3 hodgepodge.

4 I mean, zoning called me to ask me what the
5 zoning of this piece of property.

6 So, it was an effort to create continuity as
7 a planning tool to award the future. I mean, that
8 -- I don't know how much more plan I could make
9 it.

10 But that's what Bob told them at the meeting,
11 that we were trying to create the bad buffer
12 between heavy industrial, the airport, and then --
13 and let that continue with Industrial Mixed Use,
14 then go into, as you can see, commercial and
15 residential.

16 And, I mean, it's -- it's really clear to me.

17 Unfortunately, Floyd owns a piece of property
18 within that district, and I -- I don't know how do
19 you think that impacts your potential, because I
20 was told that that increases the number of uses
21 that you can put on that.

22 MR. CREWS: What? This does?

23 MS. PHILLIPPI: This you --

24 CHAIRMAN FACUNDO: The light gray.

25 MR. CREWS: That's what they've been telling

1 me, Miss Penny, but I hadn't figured it out what
2 they're talking about. And I've asked the
3 question and ask the question.

4 That's why I'm asking what's the difference
5 between the light gray and the dark gray.

6 MS. PHILLIPPI: The dark gray is heavy
7 industrial.

8 MR. CREWS: Then why do we need the
9 distinction?

10 MS. PHILLIPPI: Well, we don't want heavy
11 industrial --

12 MR. CREWS: Because of what they're telling
13 us.

14 MS. PHILLIPPI: -- against residential and we
15 were heavy industrial against
16 residential-commercial business.

17 CHAIRMAN FACUNDO: That's where the buffer
18 comes in. Yeah. That's --

19 MR. CREWS: You've got it up there on the
20 other end against the yellow.

21 MS. PHILLIPPI: No. That's the buffer
22 between, between the heavy -- because airport is a
23 heavy industrial use. Even though it's purple,
24 it's APO.

25 MR. CREWS: My whole deal is people that

1 owned this gray, not only me, but other people
2 that own the light gray, are being pushed out by
3 the dark gray, because this is what all this
4 industrial park was for, and all of a sudden now
5 it's zoned C5.

6 So, who knows what they're going to put onto
7 it next?

8 MS. WILLIAMS: Is the dark gray that he's
9 referring to, is that part of the Airport Master
10 Plan?

11 MS. PHILLIPPI: No. That's part of
12 Tradeport.

13 MS. WILLIAMS: Tradeport. So, it's already a
14 PUD. We can't change that.

15 MS. PHILLIPPI: No. Part of it is ADH. And
16 it's -- it's the heavy industrial --

17 MR. CREWS: You own the same piece of ground.

18 MS. WILLIAMS: He's been trying to work --
19 that's why it's dark gray. It's part of the
20 Tradeport PUD. It's already approved PUD.

21 MR. CREWS: Yeah. For the airport or for the
22 gray?

23 MS. WILLIAMS: For the dark gray.

24 MS. PHILLIPPI: The darker gray is already
25 paid for. Do you see that?

1 MR. CREWS: That was the Collier subdivision
2 that was on hold now, isn't it?

3 MS. WILLIAMS: But it isn't a PUD?

4 MS. PHILLIPPI: That's down, the Silver
5 Strand. That's the other area. Silver Strand.
6 The PUD for Tradeport is this thing.

7 And heavy industrial, you can't do C work
8 activities like you can in this --

9 MS. WILLIAMS: Industrial Mixed Use.

10 MS. PHILLIPPI: Yes. I mean, you can't do --
11 what they were looking to do is put C1 through C5
12 back, and the thing is, if you have C5, you can do
13 C4. If you have C4, you can do C3. And you have
14 C3. You know, that's the way it goes.

15 It doesn't mean you could do the C1 through
16 C5. And that's what they're seeking to recapture,
17 by changing this back to Commerce Center
18 Industrial District.

19 MR. CREWS: Tell me that again.

20 MS. PHILLIPPI: What they're trying to
21 recapture is the C1 through C5 use on that
22 property.

23 MR. CREWS: On the light gray.

24 MS. PHILLIPPI: Yes.

25 MR. CREWS: And the I. Anything that you can

1 do over there in industrial, you can do in the
2 light gray.

3 MS. PHILLIPPI: It means you can do
4 industrial and one through -- C1 through C5.

5 MR. CREWS: Then I'm in favor of leaving it
6 that away. So, I'll make a motion that away.

7 UNIDENTIFIED SPEAKER: It's light industrial,
8 not heavy industrial.

9 MR. CREWS: Huh?

10 UNIDENTIFIED SPEAKER: It's light industrial,
11 not heavy industrial.

12 MR. CREWS: Well, they said there's no
13 distinction between I, but this -- now, Randy,
14 you're bringing up that point that I was just
15 asking. What was the difference?

16 MR. RANDALL: They're different.

17 MS. PHILLIPPI: So -- well, we need to
18 address the motion that's on the table first.

19 CHAIRMAN FACUNDO: What was the motion?

20 MS. PHILLIPPI: To remove that and change it
21 back to CCI.

22 CHAIRMAN FACUNDO: Which is number two, right
23 below.

24 MS. PHILLIPPI: Which is what it is, yes.

25 CHAIRMAN FACUNDO: Which is number two, right

1 below.

2 MS. PHILLIPPI: Yes.

3 CHAIRMAN FACUNDO: That's what it's now.

4 MS. PHILLIPPI: Yes.

5 CHAIRMAN FACUNDO: That's if you want to
6 leave it.

7 MR. CREWS: Does that change anything? Does
8 that make C1 to --

9 MS. PHILLIPPI: No. Say it's exactly like it
10 is right now.

11 MR. CREWS: You can do C1 through C5?

12 CHAIRMAN FACUNDO: That's what it says here.

13 MR. CREWS: That's right.

14 CHAIRMAN FACUNDO: It's what it says here.

15 MR. CREWS: That's what we're doing, right.

16 CHAIRMAN FACUNDO: We just eliminate the
17 buffer, the transition, the plotting thing.

18 MR. CREWS: That's fine. We'll make it.

19 MS. WILLIAMS: So, you're going to -- what is
20 the motion? I'm really --

21 MS. PHILLIPPI: The motion is to remove it --

22 CHAIRMAN FACUNDO: Remove it.

23 MS. PHILLIPPI: -- so the IMU designation --
24 so, the motion is to remove it.

25 CHAIRMAN FACUNDO: Remove it and leave it

1 as --

2 MS. PHILLIPPI: Leave it as what it is right
3 now --

4 CHAIRMAN FACUNDO: Right.

5 MS. PHILLIPPI: -- Commercial Center
6 Industrial.

7 MS. WILLIAMS: But she's saying with the
8 Industrial Mixed Use, you still have the option of
9 using the C1 through C5.

10 MS. PHILLIPPI: Well, that wasn't my
11 impression at the board meeting.

12 Did you have that impression?

13 MR. RANDALL: No.

14 MS. WILLIAMS: What's that?

15 MS. PHILLIPPI: That you could not do a C1 --

16 MS. WILLIAMS: If you're C5 right now, as
17 Floyd is C5, he doesn't -- he -- nothing changes
18 until he makes the change --

19 MR. RANDALL: Right.

20 MS. WILLIAMS: -- right?

21 MS. PHILLIPPI: Yes.

22 MS. WILLIAMS: So, nothing changes. He's C5
23 unless he wants to go up to IMU.

24 MR. RANDALL: Right. So?

25 MS. WILLIAMS: So, why are we removing it?

1 MR. RANDALL: We're removing the IMU
2 designation. It's just as a buffer zone. There's
3 nothing to -- it's the property around.

4 Is that right? The property around this C
5 properties?

6 CHAIRMAN FACUNDO: It's just not best
7 practice.

8 MS. PHILLIPPI: Best practice, but --

9 CHAIRMAN FACUNDO: I'm talking about have
10 heavy industrial right next to residential?

11 MR. RANDALL: I agree with you, but --

12 CHAIRMAN FACUNDO: I mean, if you live at
13 a -- I don't know who lives in the development --

14 MS. PHILLIPPI: Actually --

15 CHAIRMAN FACUNDO: -- but would you like --
16 hold on.

17 MS. PHILLIPPI: -- that's how planning
18 started.

19 CHAIRMAN FACUNDO: You're right, but what I'm
20 thinking about it, if you live in a development
21 and would you like someone, your neighbor, to have
22 a car shop?

23 MR. RANDALL: No.

24 CHAIRMAN FACUNDO: Of course not. That's the
25 whole point why proper planning is important.

1 It's essential when you plan a town. That's what
2 these -- that's why the planner did this.

3 And the thing is we're missing that. I mean,
4 we -- we -- we're looking for property rights, but
5 let's look out for our neighbor here. I mean, for
6 crying out loud. I mean, we're looking out for my
7 personal property rights, and getting it granted,
8 fine --

9 MR. RANDALL: But the fact is --

10 CHAIRMAN FACUNDO: -- but come on. I mean,
11 do I --

12 MR. RANDALL: If you take this out, if we
13 remove this and, let's say, a heavy industrial
14 wants to come in next to a neighborhood, that --
15 that's what could happen.

16 CHAIRMAN FACUNDO: If you leave it -- if you
17 go back to the way it is now, yeah. That's my
18 understanding.

19 MR. RANDALL: So -- so, that would mean we
20 remove --

21 MS. PHILLIPPI: That's what we have right
22 now.

23 CHAIRMAN FACUNDO: That's what we have.

24 There would have been a packing house right
25 beside your house. If you're okay with it. I

1 mean, I'm not, to be honest with you.

2 MR. RANDALL: Okay.

3 MS. PHILLIPPI: Well, then, then call the
4 vote. Call the vote.

5 MR. CREWS: So, the -- on the motion we're
6 going to be able to put the packing house beside
7 the house or the concrete beside --

8 MS. PHILLIPPI: You know what the motion is.
9 You're going to leave it just like it is right
10 now.

11 MS. WILLIAMS: So, the motion is -- we're
12 leaving it as is.

13 We're not removing -- we're not removing it.
14 Is that correct?

15 MS. BETANCOURT: No. The motion is you're
16 going to remove it. You're going by what Penny
17 has in the notes, right.

18 MR. RANDALL: It says remove the IMU
19 designation.

20 MS. BETANCOURT: This was Penny's
21 recommendation.

22 CHAIRMAN FACUNDO: He wants to leave the --
23 he wants to remove the light gray and make it dark
24 gray, the way it is now.

25 MS. PHILLIPPI: No.

1 MR. CREWS: No, no.

2 MS. PHILLIPPI: No.

3 CHAIRMAN FACUNDO: Well, what does he want to
4 do?

5 MS. PHILLIPPI: He wants to change the IMU
6 designation to CCI, which is what it is,
7 commercial -- or Commerce Center Industrial.

8 And this paragraph tells what you can do in
9 Commerce Center Industrial Districts.

10 CHAIRMAN FACUNDO: Okay.

11 So, what do you want -- so, what are we --
12 so, the motion was to leave it as is.

13 MS. PHILLIPPI: The motion is remove the IMU
14 and leave -- put it back to the existing Commerce
15 Center Industrial.

16 Jeff made the motion, Jim seconded it.

17 CHAIRMAN FACUNDO: Okay. So, I guess --

18 MS. WILLIAMS: I have a question. I'm
19 reading through his changes. And, so, he's saying
20 remove it. And the Commerce Center Industrial, it
21 allows C1 through C5 and industrial, okay, right?

22 MS. PHILLIPPI: Yes.

23 MS. WILLIAMS: Now, the industrial makes use
24 that we have it as, basically does the same thing;
25 correct?

1 MS. PHILLIPPI: I believe it does.

2 CHAIRMAN FACUNDO: Yes.

3 MS. PHILLIPPI: And -- and provides for more
4 things that you could do.

5 MS. WILLIAMS: So, you won't be able to use
6 C1 through C5? Is that correct?

7 I'm --

8 MS. PHILLIPPI: No, I don't think that's
9 correct. I'm sorry. We don't have a planner
10 here.

11 MS. WILLIAMS: That's why --

12 MS. PHILLIPPI: But that was the big issue
13 that they were bringing up. The C1 through C5 was
14 the big issue. You can already do that right now.

15 MS. WILLIAMS: Correct.

16 MS. PHILLIPPI: It doesn't --

17 CHAIRMAN FACUNDO: Anything else on it?

18 MS. PHILLIPPI: -- take away anything,
19 because it lets you do more mixed uses.

20 MS. WILLIAMS: The Industrial Mix Use does.

21 MS. PHILLIPPI: And we can look it up on the
22 current plan, the proposed plan and review it.

23 MS. DEYO: I think we need to before we vote
24 on anything.

25 MS. WILLIAMS: Because it's saying right

1 there for commercial --

2 MR. CREWS: I'm glad I am not going to --

3 MS. WILLIAMS: -- that it allows --

4 UNIDENTIFIED SPEAKER: Misunderstanding, not
5 the --

6 MS. WILLIAMS: -- C1 through C5 in
7 industrial, so what's the difference between
8 Industrial Mixed Use and this designation?

9 MS. PHILLIPPI: So, really, in the current
10 designation, the only thing you couldn't do there
11 is residential.

12 MS. WILLIAMS: Excuse me?

13 MS. PHILLIPPI: The only thing you couldn't
14 do there is residential.

15 MS. WILLIAMS: But in the commercial --
16 Industrial Mixed Use, you could?

17 MS. PHILLIPPI: No.

18 MS. WILLIAMS: Okay. I'm --

19 MS. PHILLIPPI: I'm saying in the current
20 one.

21 MS. WILLIAMS: Okay.

22 CHAIRMAN FACUNDO: Well, right now it's
23 Industrial District. Right? Which means this
24 is --

25 MS. WILLIAMS: Commerce Center Industrial

1 District.

2 CHAIRMAN FACUNDO: Right.

3 MS. PHILLIPPI: Okay. Okay. Here it is.

4 Industrial Mixed Use subdistrict, the purpose is
5 to provide a transition area from the industrial
6 subdistrict to adjacent commercial and residential
7 uses. The State Farmers Market and related
8 facilities are located in this subdistrict.

9 This subdistrict allows for higher intensity
10 commercial uses such as in the LDC for commercial
11 C4 through C4 and C5. Research and technology
12 parks and business park districts subject to
13 development standards in the LDC.

14 This subdistrict also allows for light
15 manufacturing, processing and packaging fully
16 enclosed buildings --

17 MR. CREWS: Yeah. Got to change that.

18 MS. PHILLIPPI: -- research design -- but
19 that's also in the current one -- research design
20 and product development, printing lithography,
21 publishing, similar industrial uses, agricultural
22 and agricultural related uses such as packing
23 houses, warehousing and targeted industry.

24 Targeted industries include distribution,
25 medical laboratories, research and rehabilitative

1 centers, high technology, computer software
2 services and processing and similar -- similar --
3 similar uses within certain IMU designated lands
4 denoted on the IMAP Future Land Use Map.

5 Commercial uses are permitted on up to
6 30 percent of the total IMU acreage. The
7 percentage of mix of each category of use shall be
8 determined at the time of rezoning in accordance
9 with the criteria specified in the LDC.

10 The acreage and building square footage
11 figures, percentages shall be included in the PUD
12 ordinance or rezone ordinance.

13 MR. RANDALL: What's the difference between
14 that and the CCU?

15 MS. WILLIAMS: It looks like they can't have
16 C1 and C2 like they --

17 MS. PHILLIPPI: Don't get C1 to C3. So, that
18 was the big issue. Currently they can get C1
19 through C5. That was the issue at the board
20 meeting.

21 CHAIRMAN FACUNDO: All right. We'll vote.

22 Can we go ahead -- do you want to read the
23 motion one more last time so we can vote on this?

24 MR. CREWS: I have a question. If we vote
25 yes on the motion, we're saying leave C1 and

1 through C5 and I in there?

2 MS. PHILLIPPI: Yes.

3 MR. CREWS: Got it. And I includes the same
4 I that's in the dark gray.

5 MS. PHILLIPPI: No. It does not.

6 MR. CREWS: Then how do you get the dark gray
7 in back into the I?

8 MS. PHILLIPPI: It wasn't ever in there.

9 MR. CREWS: That's the whole point I've made
10 for four years.

11 MS. PHILLIPPI: So, you want to be -- you
12 want all of that land to be heavy industrial.

13 MR. CREWS: No, not necessarily --

14 MS. PHILLIPPI: I don't know --

15 MR. CREWS: -- but we need to be able to have
16 heavy industrial in there.

17 MS. PHILLIPPI: Well, you --

18 MS. WILLIAMS: Would you be able to do that
19 more with the I -- what do you say, the IMU
20 designation?

21 MS. PHILLIPPI: No.

22 MR. CREWS: No, uh-uh.

23 MS. WILLIAMS: But you would be able to with
24 the -- the Commercial Center Industrial District
25 or the CC1?

1 You could do that -- does it specify heavy
2 industrial for the --

3 MS. PHILLIPPI: No. It's -- it's expressed
4 entire --

5 MS. WILLIAMS: Not the C1. Not the --

6 MS. PHILLIPPI: -- commercial uses because
7 that's what we have now.

8 MS. WILLIAMS: We have now heavy
9 industrial --

10 MS. PHILLIPPI: No. Heavy commercial.

11 MS. WILLIAMS: Heavy commercial.

12 CHAIRMAN FACUNDO: It says higher intensity
13 commercial uses including packing houses,
14 industrial fabrication operation warehouses shall
15 be permitted within this district.

16 MS. PHILLIPPI: No, you can't put --

17 CHAIRMAN FACUNDO: But it --

18 MS. PHILLIPPI: You can't put --

19 CHAIRMAN FACUNDO: I know, but this --

20 MS. PHILLIPPI: -- heavy industrial in that
21 area.

22 MS. WILLIAMS: That's what it says here on
23 this Commerce Center. It says industrial. C1
24 through C5 --

25 MS. PHILLIPPI: But that --

1 MS. WILLIAMS: -- industrial.

2 MS. PHILLIPPI: But then now you have to go
3 to the LDR and find out what does industrial mean
4 in that --

5 MS. WILLIAMS: But -- okay. So, what does
6 industrial mean in that designation?

7 MS. PHILLIPPI: But it doesn't mean heavy
8 industrial, I'll tell you that.

9 MR. RANDALL: Because what they're doing is
10 creating a transition is all. If you leave it the
11 way --

12 CHAIRMAN FACUNDO: Buffer zone.

13 MR. RANDALL: -- it is now, there will be no
14 transition zone --

15 MS. PHILLIPPI: There will be --

16 MR. RANDALL: -- which is the way I want to
17 see it. Gives you the highest and best -- not the
18 highest and best necessarily, but you can do more
19 with the CC1 through CC5. You can do more with
20 it.

21 And as Bill said, it -- it's the best you
22 have.

23 MR. CREWS: Okay. And you want to include I
24 in the end of this thing.

25 MR. RANDALL: I don't think --

1 MS. PHILLIPPI: But I is in -- I --

2 MR. RANDALL: -- you have to. It is in
3 there.

4 MS. PHILLIPPI: But how far industrial you
5 can go in that, I can't tell you.

6 CHAIRMAN FACUNDO: Yeah, I don't know.

7 MS. PHILLIPPI: I don't know.

8 CHAIRMAN FACUNDO: Okay. So, can we --

9 MR. CREWS: Let -- let me tell you what one
10 of the problems is, Jeffrey.

11 MR. RANDALL: I'm going to talk to my mentor.
12 I need you to -- I'm very serious. And I'm trying
13 to figure out how you work it out, or Bill.

14 Somewhere in there it says you can't have a
15 building within 500 feet of a bunk plan.

16 MS. PHILLIPPI: See, this is all details in
17 LDL --

18 MS. WILLIAMS: Yeah. That's in the Land
19 Development.

20 MR. CREWS: So, we've got to change the LDRs
21 to get what we got.

22 MR. RANDALL: Well, that's what everybody's
23 been saying. The Land Development Code has to
24 change.

25 CHAIRMAN FACUNDO: That's what he was saying.

1 MS. WILLIAMS: Well, what's getting -- what's
2 happening is this is getting held hostage because
3 you don't -- there's changes that need to be made
4 to the Land Development Code and we all agree with
5 that, but it has -- this has nothing to do with
6 that; correct? I mean --

7 MS. PHILLIPPI: Well, we wrote a Land
8 Development Code and we started reviewing it, and
9 then once we realized we -- you know, when they
10 said go forward without the Master Plan, the LDR
11 said, we're completely gutted because so much was
12 -- it became like Swiss cheese LDRs, which we
13 already have evidently.

14 So, we were going to see if the Master Plan
15 would pass and then go on with those LDRs. So,
16 yes, we're in a double bind.

17 So, if it doesn't pass, then guess what?
18 We'll go on with the LDRs. If it does pass,
19 great, we'll go on with the LDRs.

20 MR. CREWS: Just like it was messed up.
21 We've got the thing drawn wrong. We need to make
22 some more changes and part of the light gray
23 belongs in the dark gray and part of the dark
24 great belongs in the light gray, but I'm going to
25 go right now to --

1 CHAIRMAN FACUNDO: Change the color.

2 MS. PHILLIPPI: All right. We have a motion.

3 CHAIRMAN FACUNDO: All right. Can we go
4 ahead and vote on this? So, okay, what was the
5 motion again? One more time, please.

6 MR. RANDALL: The motion is to remove the IM
7 designation in order to allow that current area
8 that we're talking about to remain CCl Commerce
9 Center Industrial.

10 CHAIRMAN FACUNDO: Okay. And you say that --

11 MR. RANDALL: It will stay the way it is
12 right now.

13 CHAIRMAN FACUNDO: Now, there was a second.

14 MS. PHILLIPPI: James made the second. We
15 just need to vote.

16 CHAIRMAN FACUNDO: Okay. Let's vote.

17 All in favor?

18 (A chorus of ayes.)

19 CHAIRMAN FACUNDO: Any opposed?

20 MS. PHILLIPPI: Let me --

21 CHAIRMAN FACUNDO: Oh, wait a minute.

22 MS. PHILLIPPI: Let me first get the hands of
23 the favors.

24 CHAIRMAN FACUNDO: All right. All in favor?

25 MS. PHILLIPPI: One, two, three, four, five,

1 six.

2 MR. ESTREMER: Are you going to go by the
3 combination that he makes on this?

4 MS. PHILLIPPI: Yes.

5 MR. ESTREMER: Okay.

6 MS. PHILLIPPI: Seven. Seven to none.

7 CHAIRMAN FACUNDO: Any --

8 MS. WILLIAMS: So, we're -- we're agreeing to
9 do this? Is that what it is?

10 CHAIRMAN FACUNDO: Yes.

11 MS. WILLIAMS: We're moving and putting the
12 CC --

13 CHAIRMAN FACUNDO: And leaving it as is.

14 MS. WILLIAMS: Okay.

15 MS. PHILLIPPI: Do you oppose that?

16 MS. WILLIAMS: No. Go ahead. That's fine.

17 CHAIRMAN FACUNDO: Okay.

18 MS. WILLIAMS: I'm -- I was confused about
19 what we were voting on.

20 MR. CREWS: I am, too, Carrie, so --

21 MS. PHILLIPPI: Well, I'll read it. Remove
22 -- the motion was to remove the IMU designation
23 depicted in gray and leave the area with this
24 existing designation of CCI, which is Commerce
25 Center Industrial.

1 Is that what everybody voted on?

2 MR. ESTREMER: I thought we have the
3 recommendation on.

4 MS. PHILLIPPI: Yes.

5 Okay. We got three done.

6 MR. RANDALL: What was the vote now? So, all
7 in favor.

8 CHAIRMAN FACUNDO: All right. Number one.

9 MR. MUCKEL: Can I just stick a caveat --

10 CHAIRMAN FACUNDO: Yes.

11 MR. MUCKEL: -- because I know it could
12 become an issue?

13 If you look at the existing map, it's not all
14 CCI.

15 MS. PHILLIPPI: Exactly.

16 MR. MUCKEL: The area up north of the airport
17 is actually industrial -- heavy industrial right
18 now. If you can look at this existing map on the
19 screen there, so you're changing the purple back
20 to light gray and changing that light gray back to
21 heavy grain, so --

22 MS. WILLIAMS: Do what now?

23 MR. MUCKEL: It's not all going back to CCI.
24 Some of it is actually going to go back to
25 industrial.

1 If you look on the -- the proposed --

2 MS. WILLIAMS: You know, as I said earlier --
3 I mean -- no, but they're voting to change it all
4 to CCI.

5 THE COURT REPORTER: Penny -- Penny, I need
6 you --

7 MS. PHILLIPPI: Brad.

8 THE COURT REPORTER: Brad what?

9 MR. MUCKEL: Muckel, M-u-c-k-e-l.

10 You're not voting then to change it back to
11 its original designation. You're actually voting
12 to make it all --

13 MS. WILLIAMS: The point I'm making is, on
14 the screen, there's --

15 MR. MUCKEL: Can you see my cursor here, the
16 arrow? The pink right here --

17 MS. WILLIAMS: Okay.

18 MR. MUCKEL: -- which includes Floyd Crews'
19 place right there --

20 MS. WILLIAMS: Uh-huh.

21 MR. MUCKEL: -- is currently CCI. Okay.

22 So, you're voting to take that back to CCI,
23 but you're also voting to take this area. It's
24 heavy industrial up, goes all the way north to the
25 airport, on the western edge of the airport and

1 then turns.

2 MS. PHILLIPPI: No. We're not talking about
3 the L. We're not talking about the L. That side
4 we already know.

5 MR. MUCKEL: But, see, you're voting to
6 change the IMU designation depicted in gray and
7 leave the area as existing CCI.

8 MS. PHILLIPPI: But not the slash part there.
9 Not this upside down L. Just this part.

10 MS. WILLIAMS: You're changing all that back
11 to -- what is it right now?

12 MS. PHILLIPPI: It is CCI. That's what the
13 pink is.

14 MR. MUCKEL: CCI. All the pink is CCI.

15 MS. WILLIAMS: So, that's what will stay;
16 correct?

17 MR. MUCKEL: Yes. Because it's all right to
18 leave that CCI.

19 MS. PHILLIPPI: So -- but we're not changing
20 the -- so, basically, the IMU with the slash,
21 we're leaving it as it is.

22 MR. MUCKEL: Well, the motion is to remove
23 the IMU designation depicted in gray. The IMU
24 depicted in gray goes all the way up to --

25 MS. PHILLIPPI: But we had on number one

1 voted on that slash mark piece.

2 MS. WILLIAMS: They had already removed that.

3 MS. PHILLIPPI: Yes.

4 MS. WILLIAMS: But then, anything to the --
5 to -- underneath the airport is now CCI --

6 MS. PHILLIPPI: What it was.

7 MS. WILLIAMS: -- correct?

8 MS. PHILLIPPI: What it was.

9 MS. WILLIAMS: What it was. It goes back to
10 what it was?

11 MR. MUCKEL: It does.

12 Okay. Number four.

13 CHAIRMAN FACUNDO: All right.

14 MS. PHILLIPPI: Now, we made it to the mobile
15 home park issue.

16 MS. WILLIAMS: What's in place right now?

17 MS. PHILLIPPI: Carrie could probably tell us
18 that better than anybody.

19 MS. WILLIAMS: I mean, if we're going back to
20 whatever's there, might as well just leave the
21 trailer park issue the way it is in the -- in the
22 current plan.

23 MS. PHILLIPPI: Well, they didn't -- it isn't
24 what they proposed. They proposed to change the
25 language from existing mobile home parks that have

1 an approved SIP, or SIP or SDP or SIP, as of the
2 effective date of this policy are allowed in
3 subdistricts that allow residential development.

4 That's what's there right now. What they're
5 proposing is existing mobile home parks, as of the
6 effective date of this policy, are allowed in all
7 the Immokalee urban area, period.

8 That's what they -- and then they want to
9 strike C, which was additionally within two years
10 of the policy, the county will amend the LDC and
11 it talks about the nonconforming overlay
12 subdistrict to include mobile homes, blah, blah,
13 blah.

14 So, what Davenport proposed they put in was
15 any mobile home park that was there before
16 November 13th, 1991 wouldn't have to do a site
17 plan revision or agreement between the county and
18 the property owner.

19 MS. WILLIAMS: They would not have to do one?

20 MS. PHILLIPPI: Right.

21 And then -- and then Bob said, this will be
22 accomplished through an update of mobile home site
23 improvement plan process.

24 Davenport also suggested that there be some
25 incentives to -- and that would help you upgrade

1 the park, eliminate substandard units and ask them
2 to -- and allow them to take advantage of other
3 development standards.

4 So, the biggest change in it, of course, is
5 B. That's the one that kicks it out.

6 And I would remind you that in your Executive
7 Summary to the board, your proposed Policy 6.1.7
8 that related to mobile home parks be removed
9 completely from the Master Plan.

10 So --

11 MS. WILLIAMS: So, that means that you'd
12 leave them what they placed with the Master Plan
13 that's the current --

14 MS. PHILLIPPI: Current --

15 MS. WILLIAMS: -- Master Plan.

16 MS. PHILLIPPI: -- in place.

17 MS. WILLIAMS: I think --

18 MS. PHILLIPPI: And the current --

19 MS. WILLIAMS: -- that's how we should vote.

20 MS. PHILLIPPI: -- everything.

21 CHAIRMAN FACUNDO: So, you're making the
22 motion?

23 MS. WILLIAMS: I wouldn't know what to motion
24 on right this second.

25 CHAIRMAN FACUNDO: Okay.

1 MS. WILLIAMS: I -- I make the motion that we
2 do not accept this language and we leave what --

3 CHAIRMAN FACUNDO: Okay.

4 MS. WILLIAMS: -- what we had stated before
5 with your Master Plan, and just leave what is in
6 place in the current Master Plan.

7 CHAIRMAN FACUNDO: Okay.

8 MR. RANDALL: I -- I have a question.

9 CHAIRMAN FACUNDO: There was a second, right?
10 Julio, you second that or --

11 MR. ESTREMER: No.

12 CHAIRMAN FACUNDO: No.

13 MR. ESTREMER: I thought she was going to go
14 ahead and do --

15 CHAIRMAN FACUNDO: Okay. There's -- there's
16 a -- there's a motion. You made it. That's a
17 motion, right, you made?

18 MS. WILLIAMS: Yeah. I can --

19 CHAIRMAN FACUNDO: Okay. Can -- is there a
20 second?

21 MR. WALL: I'll second it.

22 CHAIRMAN FACUNDO: Jim?

23 MS. PHILLIPPI: Uh-huh.

24 CHAIRMAN FACUNDO: Discussion.

25 MS. PHILLIPPI: Okay. That is exactly what

1 you recommended to the board the last time, you
2 know. And by saying you wanted to remove Policy
3 6.1.7, that's exactly what you said to the board
4 last time.

5 Leave whatever is there, there, and make the
6 Master Plan free and clear of any policy decisions
7 on --

8 MR. RANDALL: Right.

9 MS. PHILLIPPI: -- on existing mobile home
10 parks.

11 CHAIRMAN FACUNDO: That's what she said.

12 MR. RANDALL: So, let me ask a question. It
13 concerns the Blockers.

14 Can I ask them because they probably have
15 the --

16 CHAIRMAN FACUNDO: Sure.

17 MR. RANDALL: -- best answer?

18 Right now with the existing --

19 THE COURT REPORTER: Mr. Randall, I can't
20 hear you with your back to --

21 MR. RANDALL: Oh, I'm sorry.

22 Okay. Right now with the existing Master
23 Plan, your mobile home park is -- at least the
24 position the county is taking -- is you're -- your
25 mobile home park is an illegal, nonconforming use.

1 It's the position the county's taking. I know you
2 guys don't agree with it.

3 If you wanted to go in and ask for a zoning
4 change -- well, what would you do to make it
5 legal? What would you do to try to make it legal?

6 Would you have to go in and ask for a -- a
7 zoning change to make it legal?

8 MR. JOHNS: We don't need it.

9 MR. RANDALL: Well, that's because what
10 you're saying is --

11 MR. JOHNS: No. You guys said it today.

12 MR. RANDALL: Well, then go ahead.

13 MR. JOHNS: Let me just say it.

14 The county is taking the position that --

15 CHAIRMAN FACUNDO: State your name.

16 MR. JOHNS: Randy Johns.

17 The county is taking the position that the
18 Blocker property is an industrial zone, heavy
19 industrial.

20 All you guys today have said, it's CCI. CCI
21 allows residential, but not one time have any of
22 you guys ever stood up in any of these meetings
23 that we've had and said that --

24 MR. RANDALL: So --

25 MR. JOHNS: -- until today.

1 MR. RANDALL: So, right now, if -- if this --
2 if -- if -- if the Master Plan is approved with
3 the suggestions made up to this very point --

4 MR. JOHNS: Uh-huh.

5 MR. RANDALL: -- your property would then
6 become part of the C1 through C5?

7 MR. JOHNS: It already is.

8 MR. RANDALL: It already is.

9 So, it would stay there.

10 MR. JOHNS: Yeah. What you're doing though
11 is we'd lose the property rights if you're taking
12 away the heavy industrial on that property.

13 As Mr. Floyd has said, it's going to be up
14 into a light number.

15 MS. PHILLIPPI: So, you want to have
16 residential and heavy industrial on the same
17 parcel?

18 MR. JOHNS: No. I would like you not to take
19 people's property rights away.

20 If you want to -- if you want to downgrade
21 their property, then buy it from them. But just
22 don't go and take their property rights.

23 If you -- I don't know if you own property
24 here or not, but if you do and you have it zoned
25 industrial --

1 MS. PHILLIPPI: I just --

2 MR. JOHNS: -- you would like --

3 MS. PHILLIPPI: -- asked a simple question.
4 You want residential and industrial on the same
5 property.

6 MR. JOHNS: No, it's not a simple question.
7 The property is already zoned that way.

8 MS. PHILLIPPI: And, so, that's --

9 MR. JOHNS: You're taking away their rights,
10 but you're telling me you're not taking away their
11 rights, but you are.

12 MR. RANDALL: But if we leave --

13 MS. PHILLIPPI: I'm not taking it.

14 MR. RANDALL: So, if we leave it that way,
15 nothing has changed since the time you bought it;
16 correct?

17 MR. JOHNS: That's correct.

18 MR. RANDALL: Okay.

19 What's the motion?

20 MS. PHILLIPPI: The motion is --

21 MR. WALL: I -- I have a comment, too.

22 I guess, you know -- and we worked on this a
23 long time. If -- if you make a precedence, and I
24 just want to make sure that -- that because of the
25 land development is really where this is going to

1 get flushed out, is that if -- if we're making a
2 precedence here that we -- we reversed our opinion
3 in the Master Plan, then, therefore, we should
4 reverse -- that's what should be consistent
5 through the land development.

6 I'm just -- I'm just a little worried that
7 we're creating a precedence for --

8 MS. PHILLIPPI: You didn't. You made the
9 motion to leave everything as it is currently.

10 MR. RANDALL: So, we're not changing a thing.

11 MR. WALL: Okay.

12 MS. DEYO: Which means -- which basically
13 means taking out any language relating to mobile
14 homes.

15 MS. PHILLIPPI: Exactly.

16 MS. WILLIAMS: Which is basically what we
17 agreed to the first time when it came through.

18 MS. PHILLIPPI: In April?

19 MR. RANDALL: And we're rejecting --

20 MS. WILLIAMS: So, it's staying the way --

21 MR. RANDALL: -- the change.

22 MS. WILLIAMS: -- it -- staying the way it --
23 it exists as it is in the Master Plan currently,
24 the current Master Plan.

25 MS. PHILLIPPI: Would you call the vote?

1 CHAIRMAN FACUNDO: Okay. All in favor?

2 (A chorus of ayes.)

3 MS. WILLIAMS: For my motion; correct?

4 MS. PHILLIPPI: Yes.

5 CHAIRMAN FACUNDO: Yes.

6 MR. CREWS: Before we get -- I'm going to
7 have to vote no. I'm an odd ball this time. I
8 like this language right that you put in there.

9 MS. PHILLIPPI: Okay. Seven to one again.

10 CHAIRMAN FACUNDO: All right. Now, we're
11 down to five.

12 MS. PHILLIPPI: This is --

13 MR. CREWS: You all are taxing my brain
14 today.

15 MS. PHILLIPPI: Put Farm Worker Labor Camps
16 as an allowable use in the Commercial District by
17 adding the former Policy 1.5.2 to the proposed
18 6.1.4.

19 The current Policy 1.5.2 says, transient
20 housing or migrant labor camps, as defined by
21 Section 10D-25 FAC, may also be developed in areas
22 designated for commercial land uses on the
23 Immokalee Future Land Use Map.

24 Such housing must meet the general
25 requirements, the -- the requirements of the

1 General Commercial Zoning District C4 of the
2 Collier County Development Code as amended.

3 So, the new language said Collier County
4 recognizes the need for farm worker -- farm labor
5 to support the county's agricultural industry.

6 Collier County will encourage the provision
7 of housing for seasonal, temporary or migrant farm
8 workers provided that such housing is consistent
9 with the migrant labor housing provisions in
10 Section 64E-14 -- that's the updated section of
11 the Florida Administrative Code -- and does not
12 conflict with the existing zoning -- or with
13 existing zoning districts or the FLUM.

14 So, what would be added would be everything
15 except the references to the Section 10D-25. So,
16 all that language would be added to 6.1.4.

17 MR. RANDALL: So, 1.5.2, the new policy --
18 that would be a new policy, right?

19 If they want that added to six --

20 MS. PHILLIPPI: Well, 1.5.2 is our current
21 policy --

22 MR. RANDALL: Okay.

23 MS. PHILLIPPI: -- in our current Master
24 Plan.

25 MR. RANDALL: All right.

1 MS. PHILLIPPI: And they want to include that
2 language in 6.1.4.

3 MR. RANDALL: Is 6.1.4 in existence?

4 MS. PHILLIPPI: No. That's our proposed.

5 MR. RANDALL: Okay. That's our proposed.
6 Okay.

7 What -- how does that change -- how does our
8 proposal change 1.5.2?

9 MS. PHILLIPPI: It allows it in the
10 Commercial District.

11 See, and this one says, it -- it cannot
12 conflict with existing zoning districts or the
13 Future Land Use Map, and the Future Land Use Map,
14 it doesn't -- it called for a mixed use
15 commercial, so it really doesn't.

16 MR. RANDALL: It doesn't change anything.

17 CHAIRMAN FACUNDO: No, it doesn't.

18 MS. PHILLIPPI: Well, it says out loud you
19 get to have farm worker housing on Main Street.
20 It says it out loud.

21 MR. RANDALL: Is farm worker housing on Main
22 Street included now?

23 MS. PHILLIPPI: No. It's allowed right now.

24 MR. RANDALL: It's allowed.

25 MS. PHILLIPPI: Now it's policy.

1 MR. RANDALL: All this says is what's
2 allowed.

3 MS. PHILLIPPI: Uh-huh.

4 MR. CREWS: The question I've got is why do
5 we want to put the word in there, farm worker?
6 Why not just housing?

7 MS. PHILLIPPI: It's a --

8 MR. RANDALL: Because I think -- I don't want
9 to know the --

10 MS. PHILLIPPI: We say that.

11 MR. RANDALL: -- answer, but let me --

12 MS. PHILLIPPI: We already say that. We say
13 Commercial Mixed Use District. We defined it as
14 how things --

15 MR. CREWS: I understand that, but why do we
16 want to put farm -- farm -- put the word farm
17 worker in there?

18 MS. PHILLIPPI: Because you insisted during
19 your -- during your meetings.

20 MR. RANDALL: There are certain requirements
21 that made them necessitated by farm worker housing
22 that are not required by general housing.

23 Go ahead.

24 MR. CREWS: I think it's going to come back
25 to haunt us.

1 MR. WALL: I think I agree with Floyd and,
2 again, just because we deal with seasonal farm
3 workers through the registration and all that
4 other things, there are different standards --

5 MS. PHILLIPPI: Yes.

6 MR. WALL: -- which may be substandard that
7 -- that -- that -- and it could be -- deal with
8 density and a lot of things. I -- I don't know.

9 But I know I would be cautious with putting
10 the -- what's the --

11 MR. CREWS: Do you understand what I'm
12 saying?

13 MR. WALL: I do.

14 MR. CREWS: But whenever we say farm worker
15 and migrant, we come to a whole different standard
16 right there.

17 MR. RANDALL: I understand.

18 MS. WILLIAMS: Well, it says migrant, and the
19 one that he's suggesting and what we're saying is
20 farm labor. So, we should leave it --

21 MR. CREWS: Just leave it labor, not farm
22 labor, but just labor.

23 MR. RANDALL: Well, how about this? Collier
24 County recognizes the need for farm labor,
25 including, but not limited to, migrant -- instead

1 of saying labor, can we --

2 MS. WILLIAMS: Why can't we just leave it as
3 it is in 6.1.4? Because we're saying Collier
4 County recognizes the need for farm labor.

5 We encourage provisions for housing for
6 seasonable, temporary or migrant farm workers.

7 MR. RANDALL: You know it, she's right. And
8 in fact --

9 MR. CREWS: Who cares? Part of these people
10 are not farm workers anymore. They're restaurant,
11 hotel and yard cleaners.

12 MS. PHILLIPPI: Well, so at least it says --

13 MS. WILLIAMS: So, we're saying we should
14 eliminate anything to do with farm worker housing?

15 MR. CREWS: No, I didn't say that.

16 MR. WALL: It says that it should be for
17 housing for seasonal, temporary or.

18 MS. WILLIAMS: Yeah. So, seasonal --

19 MR. WALL: Seasonal and temporary is across
20 the board.

21 MS. PHILLIPPI: So, this is a specific policy
22 for farm worker housing.

23 MR. WALL: No, it's not.

24 MS. PHILLIPPI: Yes, it is.

25 MR. WALL: Collier County will encourage the

1 provision of housing for seasonal, temporary or
2 migrant farm workers.

3 MR. ESTREMER: It refers to the farm
4 workers.

5 MS. PHILLIPPI: It does, but this is the
6 policy is farm worker housing or migrant labor
7 camps specifically because, as you said, it's a
8 different set of criteria.

9 MR. WALL: There could be a lot when you --
10 when -- when you -- migrant, seasonal farm
11 workers.

12 MS. PHILLIPPI: Seasonal, temporary and
13 migrant.

14 MR. WALL: Are different than farm labors.

15 MS. PHILLIPPI: Yes. Farm worker housing is
16 different than migrant farm worker housing.
17 They're two different categories of housing.

18 Seasonal means, you know, like, for example,
19 in Okeechobee --

20 MS. DEYO: Migrant worker or --

21 MS. PHILLIPPI: -- yeah -- they put up like a
22 concrete building and divide it up and then they
23 come and hose it down when they leave.

24 But farm worker housing is the housing where
25 a farm worker would live year round or when

1 they're not on the road.

2 MR. RANDALL: Well, it doesn't say that. It
3 says, will encourage the provision of housing
4 for --

5 MS. PHILLIPPI: Temporary, seasonal and
6 migrant.

7 MR. RANDALL: -- seasonal, temporary or
8 migrant.

9 MS. PHILLIPPI: So, they're asking you to put
10 back into the downtown farm labor camps
11 specifically is what they're looking for, the
12 camps that are inspected by the Health Department
13 on -- I don't know how often -- monthly or
14 whatever.

15 MR. RANDALL: Is there another way to say
16 labor camp?

17 MS. PHILLIPPI: It's called a migrant labor
18 camp, so --

19 Uh-oh. Bill's over there --

20 CHAIRMAN FACUNDO: So, they're --

21 MS. WILLIAMS: Go ahead, Bill.

22 CHAIRMAN FACUNDO: Hang on. Before the --
23 what they're asking is to leave Policy 1.5.2 as
24 is.

25 MS. PHILLIPPI: And put it in the --

1 CHAIRMAN FACUNDO: And put in to the Policy
2 6.1.4.

3 My question was -- it says -- on the Policy
4 1.5.2, it says, such housing must meet the
5 requirements of the General Commercial Zone
6 District C4.

7 So, there are some requirements they must
8 meet.

9 MS. PHILLIPPI: Uh-huh.

10 CHAIRMAN FACUNDO: I wonder what those
11 requirements are. What is it; like beautification
12 requirements? Do we know?

13 MS. PHILLIPPI: They're probably just
14 setbacks and --

15 CHAIRMAN FACUNDO: Setbacks and some trees
16 and so forth. So, they -- they tell you that.

17 So, it's not --

18 MS. PHILLIPPI: Buffers and stuff like that.

19 CHAIRMAN FACUNDO: Buffers and stuff like
20 that.

21 So, there's some -- some things, some
22 measurable things that have been -- that's --
23 that's -- that has been established already.

24 MS. PHILLIPPI: But we don't have a General
25 Commercial Zoning District. We're proposing a

1 Mixed Use Commercial District.

2 CHAIRMAN FACUNDO: Okay.

3 MS. PHILLIPPI: So, some of this language --

4 CHAIRMAN FACUNDO: So, this doesn't apply.

5 MS. PHILLIPPI: Well --

6 CHAIRMAN FACUNDO: Would that be amended?

7 MS. PHILLIPPI: We have to change the
8 language around a little.

9 CHAIRMAN FACUNDO: Okay.

10 MS. PHILLIPPI: But I think the key thing
11 that you're missing is we want to have -- do we
12 want to have migrant labor camps on Main Street?
13 That's what we're saying here.

14 CHAIRMAN FACUNDO: Okay.

15 MR. RANDALL: What's the difference between a
16 migrant labor camp and farm worker housing?
17 What's the actual difference?

18 CHAIRMAN FACUNDO: My understanding -- my
19 understanding from this was farm worker -- farm
20 worker, he -- he doesn't migrate. A migrant
21 person works here from six months and he's gone
22 six months, comes back.

23 MS. PHILLIPPI: It's like a hotel thing.

24 CHAIRMAN FACUNDO: A farm -- a farm worker
25 could be a guy that works driving tractors all

1 year round.

2 MS. PHILLIPPI: This block say may guide.

3 CHAIRMAN FACUNDO: So, that -- so, there is a
4 distinct difference. Even the Feds recognize the
5 distinct difference.

6 It could be a farm worker. I think they
7 even -- I don't want to put the landscaper in
8 there.

9 But there is a -- there is a distinct
10 difference between the two terms. That's my
11 understanding.

12 MS. PHILLIPPI: Legal. Legal.

13 CHAIRMAN FACUNDO: Right.

14 MS. PHILLIPPI: Two legal terms.

15 CHAIRMAN FACUNDO: Go ahead, Bill. Sorry.

16 MR. MCDANIELS: They're specifically defined
17 definitions. That's the difference.

18 And it goes back along to what I talked about
19 before and that's conflicts with our Master Plan
20 in relationship to the Florida Administrative Code
21 and the Land Development Code in Collier County.

22 Collier County has specific designations for
23 farm worker housing.

24 And then -- and then the FAC has specific
25 definitions for the transient and migrant --

1 migrant labor camps.

2 Those are very specific definitions per this
3 particular code. And that --

4 MS. PHILLIPPI: So, I think what they really
5 want inserted back in here is migrant labor camps.

6 MR. MCDANIELS: My only -- my only statement
7 with regard to that is 6.1.4, the last sentence
8 kind of, sort of, is the catchall, and that is, is
9 that the -- you know, the -- these migrant labor
10 housing provisions does not conflict with the
11 Florida Administrative Code, does not conflict
12 with the existing zoning or Immokalee Area Future
13 Land Use Plan.

14 I mean, so that's -- that's kind of the
15 catchall bringing it back in.

16 It says there that we're not going to
17 conflict with the Florida Administrative Code.
18 Those are defined over here as originally in the
19 policy that exists, so --

20 MS. PHILLIPPI: Well, the Policy 10D-25 no
21 longer exists.

22 MR. MCDANIELS: And Jeffrey said earlier on,
23 what's your end goal? Your end goal is to get
24 this plan approved.

25 And you're being -- inserting this language

1 back in, as has been suggested by the
2 commissioner, kind of, sort of, already is when
3 it's -- it says that the -- the code plan shall
4 not be in conflict with the Florida Administrative
5 Code.

6 So, there's no harm in inserting this -- this
7 specific language back in. Those are definitions
8 that are in the Florida Administrative Code and
9 you're saying you're not going to be in conflict
10 with it already, so --

11 MS. WILLIAMS: But this is narrow -- but
12 insertion is saying it specifically for C4;
13 correct?

14 Whereas, over here with our new Master Plan,
15 it's kind of like it has to be in compliance with
16 what's in existing zoning.

17 So, we're -- we're actually given a little
18 bit more leeway in the changed plan than we are
19 with what's in existence now.

20 MR. MCDANIELS: And necessarily, but this --

21 MS. WILLIAMS: Huh?

22 MR. MCDANIELS: And necessarily, yes,
23 Carrie --

24 MS. WILLIAMS: Yeah.

25 MR. MCDANIELS: -- but the C4 designation for

1 the residential if it's an allowable use, have
2 very specific criterion for setbacks and
3 bufferings, and so on and so forth. So --

4 MS. WILLIAMS: So, he's wanting to be more
5 specific?

6 MR. MCDANIELS: I don't know what he wants to
7 do.

8 MR. RANDALL: Can I make a suggestion on
9 those?

10 MS. PHILLIPPI: You can make a motion.

11 MR. RANDALL: I want to make a suggestion and
12 see what everybody thinks about it and then I'll
13 make a motion.

14 I think we can change the wording a little
15 bit on Policy 6.1.4 to include the language --
16 well, to include some of the language of 1.5.2
17 that they weren't in, which will not and kind of
18 pop out like it's popping out.

19 So, can we try this?

20 Okay. I would move that we change Policy
21 6.1.4 to read as follows by stating, provided that
22 such housing is consistent with transient
23 housing -- no. Is -- is consistent with my --
24 with the migrant labor housing provisions of
25 Section 64E-14 and transient housing or migrant

1 labor camps as defined by Section 10D dash --

2 MS. PHILLIPPI: No, no, no. 10D-25 is
3 defined. It's replaced by 64E-14. That's why I
4 was trying to --

5 MR. RANDALL: Well, then, just put it in
6 writing.

7 MS. PHILLIPPI: Just put the words in a line?

8 MR. RANDALL: Just put the words in a line,
9 that these are -- they're all consistent with --

10 MS. PHILLIPPI: That's what I thought we did.
11 I think we said seasonal, temporary or migrant.

12 MR. RANDALL: Yeah, but why don't you give
13 them the words that they want?

14 MS. PHILLIPPI: Migrant housing to include?

15 MR. RANDALL: Yeah.

16 MS. PHILLIPPI: Okay. Is that your motion?

17 MR. RANDALL: Yeah.

18 MS. PHILLIPPI: To include --

19 MR. RANDALL: Including, but not limited to.

20 MS. PHILLIPPI: Transient and --

21 MR. RANDALL: Consistent with transient
22 housing, migrant labor camps, comma, migrant labor
23 housing provisions of -- you have to put a the in
24 there somewhere, provisions of Sections 64E-14.

25 It is -- instead of making it pop out the way

1 it's popping out, and I think everybody is aware
2 that --

3 MS. WILLIAMS: Are we leaving the language as
4 it is in the proposed Master Plan?

5 MR. RANDALL: But adding.

6 MS. WILLIAMS: But adding what?

7 MR. RANDALL: But adding the words, transient
8 housing, comma, migrant labor camps, comma.

9 MS. PHILLIPPI: As defined in Section 64E-14.

10 MR. RANDALL: Yeah. And migrant labor
11 housing consistent with the provisions of Section
12 64E-14.

13 MS. WILLIAMS: Well, that's pretty much what
14 it says right now.

15 MR. RANDALL: Yeah, I know, but it's not --
16 it doesn't pop out like this. It's not -- just
17 throw those few words in.

18 MS. PHILLIPPI: So, basically, it's just
19 to --

20 MR. RANDALL: It's the same --

21 MS. PHILLIPPI: You're adding the words --

22 MR. RANDALL: But if it's written --

23 MS. PHILLIPPI: -- transient housing
24 and migrant --

25 MR. RANDALL: It's just --

1 MS. PHILLIPPI: -- labor camps.

2 MR. RANDALL: It's the appearance. So, I
3 think we can go along with the suggestion. We're
4 just changing the wording a little bit.

5 MS. PHILLIPPI: Okay. Or adding to.

6 MR. RANDALL: We're changing the --

7 MS. PHILLIPPI: Or adding to.

8 MR. RANDALL: We're changing the location.

9 MS. WILLIAMS: So, we're saying Collier
10 County recognizes the need for farm labor to
11 support the county's ag industry. Collier County
12 will encourage the provision of housing for
13 seasonal, temporary, migrant labor or transient
14 housing?

15 MR. RANDALL: No. Migrant farm workers
16 provided that such housing is consistent with --

17 MS. WILLIAMS: Section 64E-14.

18 MR. RANDALL: No. Is consistent with --
19 where am I?

20 MS. WILLIAMS: Migrant labor --

21 MR. RANDALL: Transient housing or migrant
22 labor camps as defined by section -- yes.

23 MS. WILLIAMS: And then go on to say, and
24 does not conflict with the existing governing
25 districts or the Immokalee Area Future Land Use

1 Map.

2 MR. RANDALL: Yes. Okay. That's my motion.

3 MR. ESTREMER: I'll second it.

4 MS. WILLIAMS: So, all you're doing is adding
5 his verbiage of transient --

6 MR. RANDALL: Yeah. I guess giving him what
7 he wants, yeah.

8 MS. PHILLIPPI: Transient housing and migrant
9 labor camps.

10 MS. WILLIAMS: Okay. Those are the --

11 MR. CREWS: Those that are on Fifth Avenue,
12 too?

13 MS. WILLIAMS: Huh?

14 MR. CREWS: Never mind.

15 MS. WILLIAMS: No. What is the difference of
16 transient housing? I know it's seasonal or
17 temporary or migrant is, but what's transient? I
18 mean --

19 MR. RANDALL: They come and go. Who knows?

20 MS. PHILLIPPI: Well, we have a homeless
21 shelter.

22 CHAIRMAN FACUNDO: But the -- the Friendship
23 House versus the --

24 MS. PHILLIPPI: They have a homeless shelter.
25 That's pretty transient.

1 CHAIRMAN FACUNDO: Let me ask you something.

2 So, there's -- we're proposing this to be

3 new --

4 MR. CREWS: Have we got a motion?

5 MS. WILLIAMS: And we have a second.

6 MS. PHILLIPPI: No.

7 CHAIRMAN FACUNDO: Is there any part of

8 this --

9 MR. CREWS: Have we got a motion yet?

10 MS. WILLIAMS: And we have a second. I think

11 we need --

12 MR. CREWS: I call for the question.

13 Mr. Chairman, I call for the question.

14 MS. WILLIAMS: I want to hear the motion read

15 one more time so everybody --

16 CHAIRMAN FACUNDO: Read it.

17 MS. WILLIAMS: -- understands the motion.

18 CHAIRMAN FACUNDO: Read it.

19 MS. WILLIAMS: Read it, Jeff.

20 MR. RANDALL: All right.

21 MS. PHILLIPPI: Collier County recognizes the

22 need for farm labor to support the county's

23 agricultural industry. Collier County will

24 encourage the provision of housing for seasonal,

25 temporary or migrant farm workers, provided that

1 such housing is consistent with transient housing
2 or migrant --

3 MR. RANDALL: No. Transient housing, comma,
4 migrant labor camps --

5 MS. PHILLIPPI: -- comma --

6 MR. RANDALL: -- comma, or --

7 MS. PHILLIPPI: -- or migrant labor --

8 MR. RANDALL: -- migrant labor --

9 MS. PHILLIPPI: -- provision.

10 MR. RANDALL: -- housing provisions of
11 Section 64E-14, Florida Administrative Code, and
12 does not conflict with the existing zoning
13 districts or the Immokalee Area Future Land Use
14 Map.

15 MS. PHILLIPPI: Now, there may be one more
16 policy that would come into play. There may be a
17 Fed reg or a --

18 MR. RANDALL: If they needn't put that regs
19 totally in --

20 MS. PHILLIPPI: Okay.

21 MR. RANDALL: -- because we have to comply
22 with the Federal regulations.

23 MS. WILLIAMS: So, that's the motion we're
24 voting on.

25 MS. PHILLIPPI: Yes.

1 CHAIRMAN FACUNDO: Okay.

2 MS. PHILLIPPI: All in favor?

3 (A chorus of ayes.)

4 MS. PHILLIPPI: One, two, three, four, five,
5 six --

6 MR. CREWS: Well, I'm totally confused. All
7 right.

8 MS. PHILLIPPI: That's okay.

9 (People talking simultaneously.)

10 THE COURT REPORTER: Just a minute. I can't
11 take two people speaking at the same time, so wait
12 until someone is finished speaking before you jump
13 in.

14 MR. CREWS: I'll vote again. I'll vote yes
15 this time.

16 MS. PHILLIPPI: Okay. So, it's a unanimous
17 vote.

18 CHAIRMAN FACUNDO: Okay.

19 MS. WILLIAMS: It's basically 6.1.4 of the
20 Master Plan, proposed Master Plan, but we just
21 added the transient --

22 MR. CREWS: I know what you added. I just
23 wanted to make sure which way we was going.

24 CHAIRMAN FACUNDO: All right. Item Number 6.

25 MS. PHILLIPPI: Number 6, place a cap on

1 nonresidential density-intensity at seven million.
2 The density in CMU to the same as current,
3 referencing Policy 6.1.10.

4 Policy 6.1.10, nonresidential development.
5 Nonresidential development in the Immokalee Urban
6 Area will be limited to no more than 8.45 million
7 square feet through the 2025 Planning Horizon.

8 Nonresidential development includes
9 commercial, retail, office, industrial,
10 institutional and governmental buildings, but
11 excludes hotels, motels, government subsidized,
12 affordable or farm worker housing and development
13 within the Seminole Reservation.

14 Collier County staff will maintain records on
15 the amount of nonresidential development in
16 Immokalee and shall review and update as necessary
17 the nonresidential development limit as part of
18 the valuation and appraisal report process.

19 So, if we put it in there at 8.45 million and
20 I believe it was commissioner -- not Henning, but
21 Hiller, who felt like that that was extreme.
22 We're at five right now and she felt like that was
23 extreme, so somehow they compromised at seven
24 million.

25 And, so, Commissioner Henning included this

1 in his recommendations.

2 MR. CREWS: We need to add to the end of that
3 thing, square feet.

4 MR. RANDALL: Yeah.

5 MS. PHILLIPPI: In fact, 8.45 million --

6 MR. CREWS: And I make a motion we accept the
7 seven million square feet.

8 MS. PHILLIPPI: Okay.

9 CHAIRMAN FACUNDO: Okay. Can I get a second?

10 MR. CREWS: Thank you, sir.

11 MR. RANDALL: You're welcome.

12 CHAIRMAN FACUNDO: All -- any discussion?

13 THE COURT REPORTER: Who was the second?

14 CHAIRMAN FACUNDO: The second was Jeff --

15 MS. PHILLIPPI: Jeff Randall.

16 CHAIRMAN FACUNDO: -- Randall.

17 MS. WILLIAMS: Now, can I ask you a question?

18 Did Bob Mulhere review those? That's okay with
19 that?

20 MS. PHILLIPPI: Yes.

21 MS. WILLIAMS: Okay. All right.

22 MS. DEYO: I have a question because it was
23 also reducing the density in the area.

24 CHAIRMAN FACUNDO: Can you speak up?

25 MS. DEYO: That would be a second part of it.

1 You know, reducing the square footage of
2 nonresidential was part of it. The other part was
3 reducing the density --

4 MS. PHILLIPPI: The CMU back to the present,
5 you're correct.

6 So, in Commercial Mixed Use -- yeah, that was
7 a two piecer there.

8 The -- the Commercial Mixed Use density area,
9 we wouldn't be able to do as much density and
10 reduce it back to what it is right now.

11 MS. WILLIAMS: Okay. Bill, did you have --
12 did I miss something there?

13 MR. MCDANIELS: You did. My question is
14 this. Was there any data in the analysis done
15 with the suggested changes to the square footage
16 other than Georgia Hiller proclaiming that 8.45
17 million is excessive?

18 MS. PHILLIPPI: I think you already know the
19 answer to that.

20 MR. MCDANIELS: Okay. So, my -- my question
21 to you is, or my suggestion to you is, there is
22 information. This is all based on population and
23 estimations of population.

24 There are other models that are available
25 that can offer advice as to necessary commercial

1 and industrial square footages based upon
2 estimations of population --

3 MS. PHILLIPPI: Uh-huh.

4 MR. MCDANIELS: -- other than that that's
5 available to you in the fewer numbers -- one
6 second, Floyd.

7 MR. CREWS: I'm waiting on you.

8 MR. MCDANIELS: Are you waiting on me or
9 just --

10 MS. PHILLIPPI: Well, if I can interrupt you
11 one second. Her point was that it was based on
12 2008 numbers, which were the best numbers we had
13 at the time.

14 MR. MCDANIELS: Right.

15 MS. PHILLIPPI: And that in fact the
16 population has decreased, not increased as
17 projected by our data and analysis.

18 MR. MCDANIELS: Right. But -- but --

19 MS. PHILLIPPI: -- so --

20 MR. MCDANIELS: -- but we're all -- and we've
21 all got into this knee jerk reactionary
22 circumstances what's prevailing today is in fact
23 going to go on forever.

24 MS. PHILLIPPI: Right.

25 MR. MCDANIELS: And we have to go forth and

1 persevere.

2 MS. PHILLIPPI: Right.

3 MR. MCDANIELS: There is another model out
4 there. It's Collier Interactive Broke Model, and
5 you all know I was chair of that oversight
6 committee forever.

7 The impetus of that model came out of the
8 East 951 Horizon Study. Dr. Van Buskirk is a
9 phenomenal source for you to talk to with regard
10 to your population estimations and your
11 necessities for commercial and industrial square
12 footage.

13 And, so, it would be my -- I'm assuming that
14 this 8.45 million square feet that's in the plan
15 today came from somewhere. Bob Mulhere didn't
16 just pick that number.

17 So, I would suggest -- now, again, at the end
18 of the day it's all based on population. This --
19 this can, in fact, all be modeled or changed as
20 populations, in fact, change.

21 But if you're at five now and they want
22 seven, but I would really recommend that you --
23 that you look at the population model that's --
24 that's been developed by Dr. Van Buskirk. He's
25 done it specifically for this overlay with regard

1 to your population estimations.

2 MS. PHILLIPPI: Can you e-mail us that link
3 or -- or --

4 MR. MCDANIELS: Yes.

5 MS. PHILLIPPI: -- at least his information?

6 MR. MCDANIELS: I'll be happy to give you
7 contact information.

8 MS. PHILLIPPI: And I think that you're
9 right. I think that if this is the compromise,
10 then if the plan should pass, we could jump right
11 on that.

12 MR. MCDANIELS: If -- if you -- if this is
13 their conflict, if this is the compromise is moved
14 it from 8.5 to seven, excepting that it's a raise
15 from the five that you, in fact, have, but there's
16 specific data in the analysis that you have
17 available that will allow you to pinpoint based
18 upon population estimations so you don't put
19 yourself in a trick box if your population were to
20 increase again and you wouldn't have the necessary
21 commercial and industrial square footage.

22 So --

23 MS. PHILLIPPI: So, it's a two prong --

24 MR. CREWS: But we can amend it later.

25 MR. MCDANIELS: Yes, sir.

1 MR. CREWS: So, let's stick with the seven
2 now.

3 MR. MCDANIELS: Stick with the seven now that
4 there's -- there's this --

5 MS. WILLIAMS: There's more to it than
6 density and use the same -- the same as current.

7 MR. MCDANIELS: That's the -- that's the --
8 that's -- that's where I was going. This is
9 number six as one, but there's -- this is a --

10 MS. PHILLIPPI: There's a six parter.

11 MR. MCDANIELS: There's a 6A and 6B.

12 Be careful not to put yourself in a trick
13 box.

14 MS. WILLIAMS: Yeah.

15 CHAIRMAN FACUNDO: Okay.

16 MS. WILLIAMS: We have no problem reducing it
17 to seven, but maybe leave the -- don't change the
18 density to CMU. I'm going to change it to what it
19 is now. Leave it, what's in the proposed plan.
20 The proposed plan calls for a plan that what's the
21 density?

22 MS. PHILLIPPI: I don't know. I don't know.

23 MS. WILLIAMS: What is -- what's the CMU now?

24 MS. PHILLIPPI: It's nonresidential density,
25 so that was the nonresidential piece, but you're

1 right. The trick came in when they said the
2 density in the CMU to remain current.

3 I assume they were referring to
4 nonresidential. So, they are.

5 So, do you want more density in the downtown
6 Commercial District? Not -- I guess we can't
7 answer that question. I don't know the answer to
8 that.

9 Do you know the answer, Brad?

10 So, you could probably just vote on half of
11 it, half of the question.

12 But if you know that the density --

13 MS. WILLIAMS: I'll change it to seven but
14 strike out --

15 MS. PHILLIPPI: See, I thought it was all the
16 same. Sorry. My mistake.

17 CHAIRMAN FACUNDO: So, what are we doing?
18 Are we going to vote for half of it then or make a
19 motion or --

20 MR. RANDALL: Would somebody explain to me,
21 because I had stepped out of the room?

22 MS. PHILLIPPI: Well, to change the density
23 -- the nonresidential density from 4.5 million to
24 seven million, that's a pretty easy do.

25 But the second part of it was the density in

1 the CMU should remain as it is currently as
2 opposed to what was proposed.

3 So, it would have to look up what was
4 proposed to know that. And that was 6.1.10.

5 MS. WILLIAMS: Can I make a motion that we
6 take a break, just three minutes, five minutes?

7 MR. WALL: I'll second the motion.

8 (A recess was had.)

9 MS. PHILLIPPI: Okay. Back to the issue, the
10 nonresidential development and all that.

11 I think that part one, place the cap on
12 nonresidential density and intensity of seven
13 million, you can vote on it.

14 Floyd has made the motion, Jeff seconded it,
15 and then we'll talk about the second part of that.

16 So, you want to do the vote on that one
17 sentence?

18 CHAIRMAN FACUNDO: Who made the motion?

19 MR. CREWS: I did.

20 CHAIRMAN FACUNDO: Okay. For the first part
21 of it and he seconded it.

22 Okay. Does everybody understand what the
23 motion was?

24 MS. WILLIAMS: Yes.

25 CHAIRMAN FACUNDO: Okay. All in favor?

1 (A chorus of ayes.)

2 MS. PHILLIPPI: Anyone opposed?

3 CHAIRMAN FACUNDO: Anyone opposed?

4 MS. PHILLIPPI: So, seven-zero. You've lost
5 one of your folks. Julio had to leave, so seven
6 to zero.

7 CHAIRMAN FACUNDO: Seven.

8 MS. PHILLIPPI: So, we still have a quorum.

9 MS. WILLIAMS: That's for the seven million;
10 right?

11 MS. PHILLIPPI: You didn't oppose that, did
12 you?

13 MS. WILLIAMS: No.

14 CHAIRMAN FACUNDO: Okay.

15 MS. PHILLIPPI: So, the second part of this
16 says, the density and the CMU to the same is
17 current.

18 So, I found the chart. The density and the
19 CMU currently is 133.6, which is four units per
20 acre. Correct?

21 And -- and then at the end of it, it becomes
22 negative. Once you -- once you -- because --
23 because what they did when they did the density
24 for the whole urban area, they upped it in some
25 areas and they lowered it in other areas.

1 And the downtown is actually lowered, so it's
2 negative.

3 What -- what I'm saying to you is, if you put
4 that back to normal, we're going to have to
5 recalculate the whole thing because they set it up
6 so it would balance the density throughout. I
7 don't know how else to explain it.

8 I'm happy to pass this around, but it's
9 actually negative. It's somewhat less.

10 MS. WILLIAMS: So, would we have to take the
11 density back to all over Immokalee Urban Area --
12 urban area to what it is now?

13 MS. PHILLIPPI: And recalculate it.

14 MR. RANDALL: In -- in what --

15 MS. PHILLIPPI: So, in some areas --

16 MR. RANDALL: So, what are we --

17 MS. WILLIAMS: -- they upped it --

18 MR. RANDALL: -- proposing --

19 MS. WILLIAMS: -- in other areas they lowered
20 it to make the balance, so --

21 MR. RANDALL: What are we proposing now that
22 would change --

23 MS. PHILLIPPI: Well, this --

24 MR. RANDALL: -- the existence?

25 MS. PHILLIPPI: -- the second one says, put

1 the density in the CMU, which is the Commercial
2 Mixed Use District, the pink right up through the
3 middle, put that back to what it is currently.

4 MR. RANDALL: Right. But I'm missing
5 something.

6 MS. PHILLIPPI: Well, do you want to look at
7 this chart because it's actually a negative?

8 MR. RANDALL: It says -- so, right now I'm
9 looking -- I'm reading Number 6. Place the cap on
10 nonresidential density-intensity --

11 MS. PHILLIPPI: No. We already voted on
12 that.

13 MR. RANDALL: We voted on that.

14 MS. WILLIAMS: Yeah. Right.

15 MR. RANDALL: And that's done. The density
16 in CMU to the same as current.

17 MS. PHILLIPPI: I forgot you couldn't see
18 colors, but --

19 MR. RANDALL: But what -- no, but when you
20 say the density in the CMU is current --

21 MS. PHILLIPPI: This.

22 MR. RANDALL: -- are they saying, leave it
23 the way it is?

24 MS. PHILLIPPI: What it is currently.

25 MR. RANDALL: Okay. And what are we

1 suggesting?

2 MS. PHILLIPPI: We suggested a complete
3 rewrite of the density across the urban area. In
4 some parts we upped it and some parts we lowered
5 it and to make the balance.

6 So, actually, what is proposed in the
7 downtown is a decrease.

8 So, if you put that back to current without
9 calculating the rest of it, it throws everything
10 out of whack as far as density is concerned.

11 So, I -- I don't know how you're going to --

12 MR. WALL: I'm going to make a motion that we
13 keep the current language for the CMU.

14 MS. PHILLIPPI: The current language in its
15 proposed plan or in the current plan?

16 MR. WALL: Proposed plan.

17 MS. PHILLIPPI: Okay.

18 MR. RANDALL: Second.

19 CHAIRMAN FACUNDO: Any discussion?

20 All right. Let's vote.

21 All in favor?

22 MR. CREWS: Well, wait a minute. I've got a
23 question about this.

24 MS. PHILLIPPI: Wait a minute. We have a
25 question.

1 MR. CREWS: We're going to put it back to
2 what we've got now. Is that raising the density
3 or --

4 MS. PHILLIPPI: We're not putting it back.
5 He made a motion to keep the language as he said
6 right now.

7 MR. CREWS: But does it change it up? Where
8 is that?

9 MS. PHILLIPPI: The CMU is the top one across
10 the board of the chart. So, this was -- okay.
11 So, Jeff made a motion --

12 MR. WALL: When I made --

13 MR. RANDALL: I seconded it.

14 MS. PHILLIPPI: Okay. For me, Jamie made the
15 motion?

16 CHAIRMAN FACUNDO: Yeah.

17 MR. WALL: That if we put it back to the
18 current, all of the work that we went into
19 calculating it into the proposed, it's thrown out.

20 MS. PHILLIPPI: Exactly.

21 MR. WALL: And I guess part of this is --
22 it's not a bad plan and there's a lot of work that
23 went into it.

24 MS. PHILLIPPI: So, did you call the vote?

25 CHAIRMAN FACUNDO: Yes. I already did.

1 MR. RANDALL: Do it again.

2 CHAIRMAN FACUNDO: All in favor?

3 MR. CREWS: I don't know.

4 MR. WALL: You can abstain.

5 MR. CREWS: But I'm not going to say no. I'm
6 just going to say I don't know.

7 CHAIRMAN FACUNDO: You're going to sit -- you
8 can abstain.

9 MR. WALL: You can abstain.

10 MS. PHILLIPPI: Well, if he abstains, then
11 you -- you lose your quorum.

12 MR. WALL: Well, then vote no. Vote no.

13 MS. PHILLIPPI: All right. Six and one
14 abstention.

15 CHAIRMAN FACUNDO: Okay. So, there's no
16 opposed then.

17 MR. WALL: Right.

18 MS. PHILLIPPI: Okay. Oh, my Lord.

19 CHAIRMAN FACUNDO: All right. We're moving.
20 The --

21 MS. PHILLIPPI: Number 7. Does anyone object
22 to the hurricane policy?

23 MR. CREWS: I've got to think about that
24 awhile, Penny.

25 CHAIRMAN FACUNDO: The hurricane policy?

1 MS. PHILLIPPI: There's -- Commissioner
2 Henning was concerned that State Road 29 is a
3 hurricane evacuation route. We -- and he was
4 concerned that if we had more density on there,
5 that it would somehow mess that up, so Bob put
6 together this policy that we could add to the
7 Proposed Master Plan to say there will be no
8 change in State Road 29 in the Immokalee Urban
9 Area that would result in a reduction of capacity
10 until an alternative route and funding for said
11 route are identified.

12 State Road 29 will remain subject to
13 concurrency until said route, with an E, and
14 funding are available.

15 MR. RANDALL: I'll move to accept it.

16 MS. PHILLIPPI: Good.

17 CHAIRMAN FACUNDO: Okay. Do I get a second?

18 MS. WILLIAMS: Second.

19 CHAIRMAN FACUNDO: All right. Discussion.

20 MR. WALL: I just want to make one comment
21 just in this -- just for information.

22 The Statewide Economic Development Counsel,
23 and I know were there in Collier County, the --
24 the statewide parent program has -- has developed
25 a Hurricane Disaster Business Recovery Plan.

1 The SPDC -- Julio is not here -- is -- is
2 going to do that, so there is a plan, at least for
3 business recovery, that I could share with you for
4 Collier County.

5 MS. PHILLIPPI: I would like to see that very
6 much.

7 MR. WALL: Yeah. And that's just an FYI.

8 MS. PHILLIPPI: Thank you.

9 MR. MCDANIELS: This goes against everything
10 that Randy Johns said earlier on with regard to
11 don't take our stuff, don't take our land rights.

12 The language that's in here, ladies and
13 gentlemen, if there's a proposed use change on
14 State Road 29 that exists within the urbanized
15 area, and if one trip adds to the capacity or
16 takes away from the capacity, they've got an
17 automatic denial, one trip increase.

18 MS. PHILLIPPI: What does that mean?

19 MR. MCDANIELS: If the -- if somebody wants
20 to do a change somewhere here on State Road 29
21 within the urbanized area, and it increases the
22 traffic capacity or reduces the traffic capacity
23 by one trip, automatic denial. Talk about a
24 taking.

25 MS. PHILLIPPI: Denial of of what?

1 MR. MCDANIELS: Denial of the application
2 request. If somebody wants to increase the
3 density or put a gas station that's not allowed on
4 State Road 29 and it's going to generate per the
5 TIS, the Traffic Information Services --

6 MR. WALL: Even this is a -- a hurricane
7 policy? This is a disaster policy.

8 MR. MCDANIELS: I understand the premise.
9 The leading language, Jim -- I think it's
10 Jim --

11 MR. WALL: Yeah.

12 MR. MCDANIELS: The leading language has
13 validity. But the language that's -- that is
14 being suggested here is a bona fide taking, bona
15 fide taking.

16 MS. PHILLIPPI: Well, what -- that they
17 were --

18 MR. MCDANIELS: Now, the premise behind
19 having -- now, if -- I don't mean to interrupt.

20 MS. PHILLIPPI: No, it's okay.

21 MR. MCDANIELS: The premise behind having a
22 hurricane route is all well and good and it's
23 necessary, but if you accept that language and
24 Floyd has property that fronts on State Road 29
25 that -- that increases -- or increases traffic by

1 one trip, that reduces the capacity, his -- he can
2 have an automatic reduction.

3 CHAIRMAN FACUNDO: But how is that --

4 MR. RANDALL: The traffic capacities --

5 MR. MCDANIELS: Right.

6 MR. RANDALL: -- are based on service areas.

7 You know, I don't know, whatever; A, B, C, D --

8 MR. MCDANIELS: That's correct.

9 MR. RANDALL: -- whatever it is, one trip is
10 not going to increase or decrease whatever was
11 there.

12 MR. MCDANIELS: But that's not that language
13 says, Jeffrey. If it says that it reduces the
14 capacity, that the capacity is reduced --

15 MR. RANDALL: The capacity does not mean by
16 one trip. They -- they have service areas. They
17 have levels of service on those --

18 MR. MCDANIELS: LOS that's called, correct.
19 That it should specify -- the language should
20 specify.

21 Now, changing a LOS, I buy into, but this is
22 talking about a reduction in the capacity of State
23 Road 29. This language says a reduction in the
24 capacity.

25 If you have a change in the LOS from a D to

1 an E or from a B to a C or whatever, okay, that
2 could have an issue with your hurricane passage.

3 MR. RANDALL: Yes, it does.

4 MR. MCDANIELS: But this is specific language
5 that says change reduction in capacity.

6 MR. RANDALL: The way you're reading it --

7 MR. WALL: Could you suggest --

8 MR. RANDALL: -- is a real stringent reading.

9 MR. WALL: Could you suggest to make it more
10 palatable?

11 MR. MCDANIELS: There was a -- I mean, never
12 change it from a -- change it from an LOS. That
13 would be the only way. Find out what is the LOS
14 minimum requisites for a hurricane traffic route
15 in the first place or -- or -- or an evacuation
16 route in the first place. What's your minimum
17 requisites?

18 I don't know. I don't know what they are.

19 MR. RANDALL: I wouldn't worry about the word
20 capacity. I mean, I understand what you're
21 arguing.

22 MR. MCDANIELS: I'm not arguing. I'm just
23 telling you. I mean, you're talking -- Jeffrey,
24 you're talking about inserting new language into
25 this and all this other stuff encumber vision to

1 policies from old to new.

2 This -- this right here --

3 MS. PHILLIPPI: But it doesn't say hurricane
4 anywhere.

5 MR. MCDANIELS: And these shouldn't --

6 MS. PHILLIPPI: I mean, I just put that in.

7 MR. MCDANIELS: -- have anything to do with
8 it.

9 THE WITNESS: Oh, okay.

10 MS. PHILLIPPI: It's really just --

11 MR. RANDALL: You want more specificity.
12 Well, that's what you want.

13 MR. MCDANIELS: I don't want it.

14 MS. PHILLIPPI: Okay. But let me --

15 MR. RANDALL: Could you suggest --

16 CHAIRMAN FACUNDO: All right.

17 MS. PHILLIPPI: Let me say one thing. I put
18 hurricane there because that's when the
19 language -- that's how the conversation come up.

20 Standing by itself, it's not a hurricane
21 policy.

22 MR. WALL: Right.

23 MS. PHILLIPPI: It's simply there would be no
24 change in State Road 29 urban area.

25 MR. MCDANIELS: Reduction of capacity.

1 MS. PHILLIPPI: So, if some -- I guess if
2 somebody wanted to build an industry, a used car
3 lot or something, on Main Street and that
4 generated -- that generated another hundred trips
5 onto State Road 29, would that constitute a
6 reduction in -- and -- and that isn't even what
7 they were talking about.

8 What they were really trying to get at, I
9 could tell you, is we talked about if somebody
10 wanted to come in and do a -- what -- what did we
11 call it? What is that; TMS, TES, TEA?

12 MR. MCDANIELS: TIS.

13 MS. PHILLIPPI: Transportation concurrency
14 something.

15 We talked about it. Somebody wanted to come
16 in, a business, an industry, and hire a hundred
17 people, and then transportation made them do their
18 study and said, okay, you're going to have to --
19 you're going to put another hundred cars on the
20 road; therefore, you need to widen the road, pay
21 for the curb cut, put in a light and all this
22 stuff --

23 CHAIRMAN FACUNDO: Correct.

24 MS. PHILLIPPI: -- and spend a lot of money.
25 And they go -- well, the buyer, we're not going to

1 do all that.

2 So, we said we were going to study the three
3 different ways to see how we could help that
4 business come to Immokalee and maybe set that
5 aside for a year or two, let them pay into it,
6 transportation concurrency, a pot of money or
7 something like that.

8 That's how this conversation came up. So --
9 and -- and it was led into by that hurricane
10 business.

11 So, I think it was the TCGA, transportary
12 (sic) -- transportation concurrency, whatever it
13 was that got this whole conversation going.

14 MR. RANDALL: In any event, I want to just
15 throw out, and perhaps we can add to this language
16 that will result in a reduction of the level of
17 service area capacity.

18 MS. PHILLIPPI: Level of service capacity.

19 MR. WALL: And if I could just clarify, too,
20 that whenever -- and we deal with this is that,
21 you know, this is a hurricane policy? Is that --

22 MS. WILLIAMS: No. No.

23 CHAIRMAN FACUNDO: It's not.

24 MS. WILLIAMS: Ignore that.

25 MR. WALL: Okay.

1 MS. PHILLIPPI: Well, I mean, that's how it
2 got led into, so that's what I put in parenthesis.
3 It's a hurricane issue.

4 MR. WALL: Okay.

5 MS. PHILLIPPI: It's a hurricane issue.

6 MR. WALL: Okay. Okay. Thank you.

7 MS. PHILLIPPI: So, in other words, they
8 didn't want a bunch of -- of businesses built up
9 on Highway 29 because it would screw up the
10 hurricane route.

11 MR. WALL: Makes sense.

12 MR. OLESKY: Tell them to go north on 75 and
13 it will get you over there.

14 MS. PHILLIPPI: So, Jeff, the motion was
15 there will be no change in State Road 29, the
16 Immokalee Urban Area that would result in --

17 MR. RANDALL: A reduction.

18 MS. PHILLIPPI: -- a reduction of level of
19 service capacity?

20 MR. RANDALL: Yep.

21 MS. PHILLIPPI: Until an alternative route
22 and funding for said route are identified. State
23 Road 29 shall remain subject to concurrency until
24 said route and funding are available.

25 MS. WILLIAMS: Can you put -- what if you put

1 in there alternative route and/or funding for said
2 route?

3 MS. PHILLIPPI: Well, that was the whole
4 issue.

5 MR. RANDALL: Well, you're going to have
6 both. I mean, it's -- I mean, you going to have
7 to have both.

8 MS. WILLIAMS: At least.

9 MR. RANDALL: I mean, it's -- I mean, you're
10 going to have a --

11 MS. WILLIAMS: Well, if it's --

12 MR. RANDALL: You're not going to have the
13 alternative route. Or you can have this as an
14 alternative route, but you don't have funding or
15 we have funding but we don't have an alternative
16 route. It's an either/or.

17 I mean, they're not going to change it unless
18 you have both. I'd make it both.

19 MS. PHILLIPPI: So, State Road 29 would be an
20 alternate --

21 MS. WILLIAMS: Right. That's what I'm
22 saying.

23 MS. PHILLIPPI: But there's no funding for it
24 and there won't be until 2035.

25 MS. WILLIAMS: Yeah. Well, then, that kind

1 of inhibits your development, correct, because you
2 can't do anything at all until we can say we have
3 the -- the route suggested. We're waiting for
4 funding, so it wouldn't stop growth.

5 If you put this in here, then you're stopping
6 any changes, right, any growth?

7 MS. PHILLIPPI: Well --

8 MS. WILLIAMS: I don't --

9 MS. PHILLIPPI: -- because State Road 29 is
10 already failing. I mean, they do their tests
11 during the summer when we don't have a lot of
12 people here.

13 But it's like Lake Trafford Road failed and
14 that's why they came and did that thing at the
15 intersection so that it would no longer be a
16 failing road. So you could turn easily and there
17 won't be that big bottleneck.

18 So, we're -- we're that close to being over
19 capacity already. And -- and this will push us.

20 MS. WILLIAMS: Right.

21 CHAIRMAN FACUNDO: Yeah, but here --
22 here's -- but if the road fails and the
23 development comp says I want to open shop in this
24 property, I don't think legally they could deny
25 you, but they're going to make these provisions

1 for you.

2 MS. WILLIAMS: So, about what --

3 CHAIRMAN FACUNDO: So, you could be able --
4 but we're going to say you have to -- turn
5 lanes --

6 MR. RANDALL: Well, make the developer pay
7 for it.

8 CHAIRMAN FACUNDO: But that's what I'm
9 saying. So, you're --

10 MS. PHILLIPPI: Which is what they do now.

11 CHAIRMAN FACUNDO: Right. I mean, we have to
12 go through the same process I don't know how many
13 times we take \$100,000 for a turning lane.

14 So, what --

15 MS. PHILLIPPI: Bill is up again.

16 MS. WILLIAMS: Yes.

17 CHAIRMAN FACUNDO: So, what -- so, what are
18 we trying to achieve for -- that we don't -- that
19 they don't have to pay for that turn lane or what?

20 MR. MCDANIELS: No. They have to pay for
21 that turning lane no matter what.

22 CHAIRMAN FACUNDO: Well, what -- what are
23 you -- what are you getting at?

24 MR. MCDANIELS: Where we're getting at is, is
25 it is a complete stymying of growth for Immokalee.

1 MS. WILLIAMS: Exactly.

2 MR. MCDANIELS: Even if you had the language
3 in for the LOS, which could, Jeffrey, be the
4 specific definition for capacity purposes, what
5 you're doing, the LOS of State Road 29 right now
6 is B. And it's a level of service B.

7 Once it -- once you get to that threshold to
8 come to C, you prohibit any other development in
9 your community for and until the alternative route
10 and funding is in fact put in place. Done.

11 CHAIRMAN FACUNDO: I don't know about that.

12 MS. WILLIAMS: You don't want to do that.

13 MR. RANDALL: You don't prohibit anything.

14 CHAIRMAN FACUNDO: I don't think so.

15 MR. RANDALL: I mean, it's all subject to
16 discussion.

17 (Several people talking simultaneously.)

18 MR. RANDALL: I mean, they may know --

19 MS. PHILLIPPI: Sam, it does inhibit. It
20 does inhibit.

21 MS. WILLIAMS: It does inhibit.

22 CHAIRMAN FACUNDO: It does?

23 MR. MCDANIELS: Yes, it does.

24 MS. PHILLIPPI: I don't mean to --

25 (Several people talking simultaneously.)

1 MR. MCDANIELS: Jeffrey --

2 CHAIRMAN FACUNDO: Inhibit but not prohibit.

3 MR. MCDANIELS: -- I go -- I have a mining
4 company. And I'm citing a specific example.

5 If you -- there are specific languages in
6 the -- in the code, when I'm opening up a new
7 mining operation and going to dump 200 loads a day
8 onto that road, if I drop the LOS, I'm
9 specifically prohibited from doing it until the
10 funding and/or the capacities of the road are
11 raised, sufficient so that mine use will not
12 degrade the existing LOS period.

13 And they do it in shopping centers, the
14 fellows that did it in Alico prior to Alico's
15 expansion.

16 MR. WALL: Let me say this. If we're -- if
17 we're compromising, I mean this is a deal killer?

18 MS. WILLIAMS: Yeah, but you're killing
19 growth.

20 MR. WALL: Because our deal is to get this
21 passed, and I don't believe that is an item that
22 they're going to say, oh, we're not going to pass
23 the Master Plan because they didn't indite or do
24 anything.

25 MS. PHILLIPPI: I can't predict.

1 MS. WILLIAMS: I would think that they
2 already served their -- they -- already level of
3 service is issues on the state level; right?

4 MR. MCDANIELS: Correct.

5 MS. WILLIAMS: So, why are we making another
6 policy? I would say reject this policy.
7 There's -- there's -- there's verbiage in place as
8 it is now with the state as far as level of
9 service. We're not going to reinvent the wheel.

10 MR. WALL: And even -- even if you want to,
11 if this is a disaster thing we can -- we can --

12 MS. WILLIAMS: If it's a disaster --

13 MR. WALL: So we can refer to the -- the
14 economic development disaster.

15 CHAIRMAN FACUNDO: All right. Well, there
16 was a motion obviously and I forgot what that was,
17 but --

18 MS. PHILLIPPI: The motion was to accept this
19 change, seconded by Carrie --

20 MS. WILLIAMS: This is for discussion.

21 MS. PHILLIPPI: -- with some amended
22 language.

23 MR. RANDALL: I'll withdraw --

24 MS. WILLIAMS: I'll withdraw my motion.

25 CHAIRMAN FACUNDO: Correct.

1 MR. RANDALL: I'd withdraw my second.

2 CHAIRMAN FACUNDO: So, what's the -- what's
3 the --

4 MR. CREWS: Why don't you leave it like that
5 and we'd all vote no.

6 CHAIRMAN FACUNDO: What's the new motion?

7 MS. WILLIAMS: That we reject the --

8 CHAIRMAN FACUNDO: That we reject --

9 MR. RANDALL: Wait, wait, wait. Can someone
10 find out what the state says about evacuation
11 routes as level of service, because if we can go
12 to the board and say we took this out because it
13 is either inconsistent with the state language or
14 it's already covered by the state.

15 MR. MCDANIELS: It's already covered.

16 MS. WILLIAMS: I would say it's already
17 covered by the state. I'll make that motion.

18 MS. PHILLIPPI: I'll do the research, Jeff.

19 MR. RANDALL: Yeah. So, let's take it out
20 and see what happens based on getting some
21 language -- for giving them language saying it's
22 already covered.

23 COMMISSIONER COLETTA: Penny, when the state
24 gets the plan, when it goes to them and it gets
25 passed and goes to them for adoption, they're not

1 going to approve something contrary to their own
2 statutes and their own planning.

3 MS. WILLIAMS: Right.

4 COMMISSIONER COLETTA: They'll send it back
5 for a -- they'll go make that as one of their
6 requirements for a change. We don't know what
7 they're going to do.

8 MR. MCDANIELS: No.

9 MR. RANDALL: So, let's take it out.

10 MR. MCDANIELS: Basically what you're saying
11 is, is it's already covered by the state. I
12 don't --

13 MS. WILLIAMS: We can basically say that.
14 We're making a motion to remove it because this
15 issue is already covered by the state.

16 MR. RANDALL: Yeah, but what I wanted to be
17 able to do when we're there and to go through
18 these things, and someone says, well, I'm not
19 going to pass it because you didn't put this in, I
20 want to said or have somebody say, it's -- here --
21 here's the language from the state that's already
22 covered, it's not necessary, it's redundant, we
23 don't need it or it's confusing or whatever.

24 MS. PHILLIPPI: I'll do that research, Jeff.

25 MR. RANDALL: All right.

1 CHAIRMAN FACUNDO: So, is there a motion?
2 Somebody made that to eliminate it and --

3 MS. PHILLIPPI: New one.

4 CHAIRMAN FACUNDO: -- a new one.

5 MR. RANDALL: I'll make a motion --

6 CHAIRMAN FACUNDO: Okay.

7 MR. RANDALL: -- to not include Item Number
8 7.

9 CHAIRMAN FACUNDO: Okay. Do we have a
10 second?

11 MR. OLESKY: Second.

12 CHAIRMAN FACUNDO: All right. Any
13 discussion?

14 Let's vote. All --

15 MS. PHILLIPPI: Go ahead.

16 CHAIRMAN FACUNDO: All in favor?

17 (A chorus of ayes.)

18 CHAIRMAN FACUNDO: Any opposed?

19 MR. RANDALL: Are you still thinking, Floyd?

20 CHAIRMAN FACUNDO: All right. Number eight.

21 MS. PHILLIPPI: Yea.

22 CHAIRMAN FACUNDO: We're almost there.

23 I know the court recorder is very happy and
24 the video-tographer (sic) is very happy.

25 They're asking us to remove or modify Policy

1 4.2.2 and 4.2.3. And these are the long-range
2 transportation improvements. Collier County will
3 explore the possibility of accelerating the
4 implementation of the MPO's Long-Range
5 Transportation Plan, subject to funding
6 available -- available funding as a precursor to
7 initiating new investment in the Immokalee area.

8 In particular, the county will support and
9 encourage, number one, the FDOT in widening of
10 State Road 82 between I-75 and 29 as a first step
11 to improving transportation, the building of the
12 29 bypass route to create direct access to State
13 Road 82 and 29 from the airport, from -- access to
14 State Road 82 and 29 from the airport and the
15 Tradeport, the FDOT to improve road conditions
16 along state owned roads, the creation of new or
17 expansion of existing transportation corridors
18 that will improve access between Immokalee, City
19 of Naples and Coastal Collier County.

20 And I think they're referring there to what,
21 Boy Scout Road or one of those other roads?

22 The creation of new collector roads,
23 including -- there is it is -- Little League Road
24 near the extension -- extension near Lake Trafford
25 to handle increased future population growth and

1 traffic.

2 4.2.3 access from Immokalee Airport to the
3 future State Road 29 bypass, Collier County will
4 coordinate with FDOT and of landowners and other
5 stakeholders to identify one or more preferred
6 routes to connect the airport in the future State
7 Road 29 bypass subject to Policy 1.1.1, funding
8 availability.

9 MS. WILLIAMS: The biggest problem with that
10 thing is -- that verbiage, everybody has a problem
11 with the bypass route. I mean, that's what you
12 hear, right?

13 So, what if we change like in bullet point
14 number two the building or expansion for SR 29 to
15 create a direct access to SR 82 and SR 29, so
16 therefore you're not stating a bypass.

17 You just take that word, bypass, out. And
18 then at 4.2.3, we just identify one or more
19 preferred routes to connect to the airport period.
20 We don't say anything about a bypass.

21 MR. OLESKY: Sounds like he wants to shut
22 down the airport.

23 MS. WILLIAMS: No. I mean, the biggest thing
24 is the by -- when you say bypass here, everybody
25 goes crazy. So, just -- we're -- we're saying we

1 want a route to the airport. We're just not
2 saying we're going to bypass.

3 MS. PHILLIPPI: Well, my recommendation is to
4 remove both those policies simply because we're
5 going to support a bypass. The -- the -- to me
6 the most valuable line in there is the creation of
7 new collector roads including Little League
8 extension.

9 MS. WILLIAMS: Yeah. I believe that --

10 MS. PHILLIPPI: That's -- that's the most
11 valuable thing that's in there as far as I'm
12 concerned because FDOT is going to continue to
13 come to the CRA and ask what is your opinion of
14 the best route, here's what we're doing now.

15 And --

16 MS. WILLIAMS: Well, I think the -- the
17 thing, too, the creation of newer expansion of
18 existing transportation corridors and improved
19 access to Immokalee.

20 MS. PHILLIPPI: Yeah. That's true. That's
21 true.

22 MS. WILLIAMS: The only thing that people are
23 having a problem with the bypass.

24 MS. PHILLIPPI: The loop road.

25 MS. WILLIAMS: So, just remove that

1 particular verbiage. Just say, the building or
2 expansion of SR 29 to create access to 20 -- to 82
3 or 29 from the original airport.

4 You're not saying a bypass. You're saying
5 we're going to expand and we're going to build a
6 road, but we're not -- we don't know where it's
7 going to go.

8 MS. PHILLIPPI: Well, we said we're going to
9 support that.

10 MS. WILLIAMS: Right. That's all it says.

11 MS. PHILLIPPI: We never said we're going to
12 build the roads.

13 MS. WILLIAMS: I know, but --

14 MS. PHILLIPPI: I'm not --

15 MS. WILLIAMS: -- everyone has a -- you know,
16 a fit about it because you say bypass. So, you're
17 not saying -- we're not saying that we don't -- I
18 think there should be a road connected to the
19 airport.

20 But just take the verbiage out where it says
21 bypass. We're looking for an alternative route.

22 MR. RANDALL: That's a good compromise.

23 MS. PHILLIPPI: Just tell me what to put in
24 there. Tell me the verbiage again, if that's what
25 we're going to go with.

1 MS. WILLIAMS: I don't know. I'm just --

2 MS. PHILLIPPI: So, 4.2 is explore the
3 possibility of accelerating the implementation of
4 MPO.

5 MR. RANDALL: Let me ask a question.

6 MS. PHILLIPPI: The county will support and
7 encourage.

8 MR. RANDALL: Listen to me. This talks about
9 what the county -- that we support the county
10 doing --

11 MS. PHILLIPPI: This is a comprehensive plan
12 for Collier County.

13 MR. RANDALL: State Road 29 is not under our
14 jurisdiction.

15 MS. WILLIAMS: Uh-uh.

16 MR. RANDALL: If -- if -- if the Florida
17 Department of Transportation comes in and says,
18 hey, listen, we're making it like this, would they
19 say whether you like it or not? Or what would
20 they -- I don't know.

21 What would they do?

22 MS. WILLIAMS: They -- they have a -- right
23 now you go on line and you give your comments of
24 where you would like to see it.

25 MR. RANDALL: Yeah.

1 MS. WILLIAMS: But as far as the -- the
2 bottom line is the State of Florida is going to
3 decide where that bypass goes.

4 MS. PHILLIPPI: And they're doing a --

5 MS. WILLIAMS: Yeah.

6 MS. PHILLIPPI: -- right now to determine
7 that.

8 MR. RANDALL: Now, what difference does
9 that --

10 MS. PHILLIPPI: But what FDOT said to me
11 when -- when Ski's friend came to visit us --
12 what -- what was her name again, Ski? I can't
13 think of her name. From Bartow.

14 She said was, they're going to do what they
15 want to do unless the community comes together as
16 a whole and says, this is our preferred route.
17 Then they're going to pay attention to what you're
18 saying. Otherwise, it's going to be based on
19 their studies and their analysis.

20 So, if they don't get input from the
21 community, yes, they're going to do pretty much
22 whatever they want --

23 CHAIRMAN FACUNDO: And this gives us --

24 MS. PHILLIPPI: -- to decide is best.

25 CHAIRMAN FACUNDO: This give us our voice.

1 MR. RANDALL: My suggestion is, and I think
2 you're the one who said it, Penny, is the only
3 thing we should leave in is the creation of new
4 collector roads.

5 It's us. It's our population growth, isn't
6 it, and the state really has nothing to do with it
7 perhaps?

8 MS. PHILLIPPI: Well, as -- as Mike just
9 said, if we completely remove it we remove our
10 voice.

11 CHAIRMAN FACUNDO: Then we have to say so and
12 then they can --

13 MS. PHILLIPPI: Input to FDOT.

14 CHAIRMAN FACUNDO: -- do whatever they want
15 to do.

16 I think that's the whole purpose why they had
17 put this in there. I think it was sort of
18 misconstrued in thinking that we're trying to
19 build one because I remember vaguely that there
20 were -- one of the commissioners said, oh, we're
21 going to have to pay all this money to -- to build
22 this, and that's not the case. We're not building
23 that.

24 MS. PHILLIPPI: We can't. We don't have --

25 CHAIRMAN FACUNDO: We don't have no money.

1 We acknowledge that.

2 MS. PHILLIPPI: We don't have that kind of --

3 CHAIRMAN FACUNDO: But we're trying to make
4 provisions so we're able to have a voice when it
5 does happen in 2035.

6 MR. RANDALL: Got you.

7 CHAIRMAN FACUNDO: So, I think it's just
8 coming -- coming to a solution what Carrie said.

9 MS. PHILLIPPI: So, would we support the
10 widening of State Road 92?

11 MR. CREWS: Hang on a minute.

12 UNIDENTIFIED SPEAKER: Sure.

13 CHAIRMAN FACUNDO: Absolutely.

14 MR. CREWS: One thing -- one thing that we
15 need to put in this thing is not only to I-75, but
16 we also need to extend this road to 27. With all
17 that is said in widening it at 82 between I --
18 I-75 and 29, and we also need to have 29 widened
19 to State Road 27 or Federal Road 27. State
20 Road --

21 MS. PHILLIPPI: State road.

22 MR. CREWS: -- 27. That -- that whole thing
23 needs to be four-laned to give us a four lane to
24 go to --

25 MS. PHILLIPPI: So, they're saying, work it

1 out, support --

2 MR. CREWS: -- that way, that way and this
3 way.

4 MR. OLESKY: That would take care of this
5 hurricane evacuation right here.

6 MS. PHILLIPPI: We go -- what we're saying is
7 we're going to support --

8 MR. CREWS: Thirty years ago I saw a
9 hurricane evacuation route that was supposed to
10 improve these roads and it hadn't done it yet.

11 MS. WILLIAMS: So, you're saying the Florida
12 Department of Transportation isn't widening SR 82
13 between I-75 and SR 29 and -- what was the road?

14 MR. CREWS: We need to do 29 to Highway 27.

15 MS. PHILLIPPI: Oh, no. Bill's up again.

16 MS. WILLIAMS: Okay. Why don't we -- why
17 don't we just say the Florida Department of
18 Transportation in widening and -- or just say
19 it -- go ahead. Florida Department of
20 Transportation --

21 MR. RANDALL: In the widenings of SR 82
22 between I-75 and SR 21 in between.

23 MR. MCDANIELS: 29.

24 MR. RANDALL: -- 29 and between SR 29 and the
25 -- SR --

1 MS. WILLIAMS: CR.

2 MR. RANDALL: -- CR --

3 MS. WILLIAMS: CR 846, right?

4 MR. RANDALL: Well, whatever it is.

5 MS. PHILLIPPI: 27, those are like out of our
6 jurisdiction.

7 MS. WILLIAMS: He's talking about 846, right?

8 (Several people speaking simultaneously.)

9 THE COURT REPORTER: Everyone is talking
10 here.

11 MS. PHILLIPPI: Okay. The court recorder is
12 having a hard time.

13 MR. MCDANIELS: All right. This --

14 CHAIRMAN FACUNDO: Go ahead, Bill.

15 MR. WALL: Just one point. And, again, it
16 goes back to what Jeffrey said at the beginning.
17 I'm pretty sure I was here when we were talking
18 about 4.2.2 and 4.2.3. Their suggestion is remove
19 this language necessarily.

20 It's been many, many moons ago, but I recall
21 these were -- this was proactive language.

22 If you read this language that's in here,
23 this is all feel good stuff. This is all want to,
24 we will explore, acceleration --

25 MS. PHILLIPPI: Support.

1 MR. MCDANIELS: -- funding and da, da, da,
2 da, da.

3 MS. PHILLIPPI: This is all -- we will
4 support all those things.

5 MR. MCDANIELS: This is all -- we as a
6 community should be doing this stuff anyway. We
7 as a community should be doing these things anyway
8 in the first place. And if it buys the vote,
9 which that's what you're looking for, what's your
10 end goal. Forgive me. End goal.

11 And if it's -- if it gets you to the success
12 point that you're in fact looking for, strike the
13 language. Let's remove or modify.

14 And then you take care of the bypass road
15 language, Carrie. We take care of the
16 acceleration. And, basically, all this language
17 is, is this feel good stuff anyway. And their
18 suggestion is remove or modify, take it out.

19 CHAIRMAN FACUNDO: I modify will probably be
20 your best --

21 MS. WILLIAMS: I think modify, because I
22 think we do need to keep your free -- I mean, just
23 to keep it in there to keep our voice in there,
24 but --

25 MR. RANDALL: Carrie, what's necessary? You

1 want -- you want the first bullet point, right?

2 MS. WILLIAMS: Uh-huh.

3 MR. RANDALL: You know, so --

4 MR. WALL: You mean the language?

5 MR. RANDALL: It's the language -- huh?

6 MR. WALL: In the last one? The first one
7 and the last one?

8 MR. RANDALL: Wait, wait. So, the first
9 bullet point in the widening of SR 82 between I-75
10 and SR 29 and between SR 29 and --

11 MS. PHILLIPPI: SR 27.

12 MR. RANDALL: -- SR 27 as a first step.
13 Okay?

14 Now, the second bullet point -- are -- can
15 we -- can we remove the second bullet point?

16 MS. PHILLIPPI: The building of State Road 29
17 bypass route to create direct access to 82 and 29
18 from the regional airport and the Tradeport?

19 MS. WILLIAMS: I would say the creation of or
20 expansion of SR 29 to create direct access to SR
21 82 and SR 29 from the Immokalee Regional Airport.

22 MR. CREWS: It already has one. It's called
23 846.

24 MS. PHILLIPPI: Okay. So, the expansion of
25 29 and leave out Tradeport.

1 And -- and, quite frankly, the -- the --
2 it's --

3 MS. WILLIAMS: But the Tradeport's at the
4 airport, so I would put the airport.

5 CHAIRMAN FACUNDO: Yeah, but do you almost
6 condense bullet points when you're saying the same
7 thing?

8 MS. PHILLIPPI: Over. It seems redundant.

9 CHAIRMAN FACUNDO: It's redundant.

10 MS. PHILLIPPI: It really does.

11 MS. WILLIAMS: Just put --

12 CHAIRMAN FACUNDO: So, you can just -- what
13 he's saying, because he wants -- because the
14 bypass is very specific and you want to make it in
15 general because you're already proposing to widen
16 29.

17 MS. PHILLIPPI: So, instead of to access to
18 Immokalee, access to Immokalee --

19 CHAIRMAN FACUNDO: Right, because they're
20 still going to give you the access to that. It's
21 just rather than going through the bypass, it's
22 just going straight through Immokalee.

23 MS. PHILLIPPI: Okay.

24 MR. RANDALL: So, we can take out the second
25 bullet point?

1 MS. PHILLIPPI: Yeah. And we just put --

2 CHAIRMAN FACUNDO: Can't.

3 MS. PHILLIPPI: -- airport onto the --

4 CHAIRMAN FACUNDO: Right. And just put the
5 language, right, airport and all that into the
6 first bullet point because it is, you know.

7 MS. PHILLIPPI: Roads condition is a throw
8 away. I mean, that one is really a throw away.

9 Bullet three really to me is a fluff.

10 MR. OLESKY: Kind of moot, isn't it?

11 MS. PHILLIPPI: It's fluff.

12 MR. WALL: Take it out.

13 CHAIRMAN FACUNDO: Pull out bullet three?

14 MS. WILLIAMS: Well, just leave it in there.
15 So, what? Florida Department of Transportation to
16 improve road conditions along state owned roads?

17 MR. RANDALL: Yeah, but -- I mean, we have
18 to --

19 MS. WILLIAMS: That's a given, right.

20 MR. RANDALL: -- control and --

21 MS. WILLIAMS: Oh, okay.

22 CHAIRMAN FACUNDO: Yeah. So, you can just
23 give her the --

24 MS. WILLIAMS: Oh, give --

25 CHAIRMAN FACUNDO: That's the wishy stuff.

1 MS. PHILLIPPI: And then leave in the last --

2 MS. WILLIAMS: Leave in the last two bullet
3 points.

4 MS. PHILLIPPI: Then what about 4.2.3? Throw
5 that one away?

6 MR. RANDALL: Yeah. We don't need it. But
7 we're just working the --

8 MS. WILLIAMS: Are we basically stating that
9 in bullet point --

10 MS. PHILLIPPI: Yes.

11 MS. WILLIAMS: -- the first bullet point?

12 MS. PHILLIPPI: Yes.

13 MS. WILLIAMS: Then I'm in that.

14 MS. PHILLIPPI: All right. All we need is a
15 motion.

16 CHAIRMAN FACUNDO: Okay. I have one other
17 question just for my own education.

18 Will they possibly frown on the, I guess,
19 bullet four and five? I mean, who would paid for
20 that; accounting? Or is that -- that's not a
21 state road.

22 MS. PHILLIPPI: We're eliminate --

23 CHAIRMAN FACUNDO: Oh, okay. Well, I'm just
24 saying. I mean, I didn't anticipate that. That's
25 all. Okay.

1 MS. PHILLIPPI: Because remember, our very
2 first -- our very first policy meet says we have
3 to go to the board once a year and list to them
4 what our top priorities as far as infrastructure
5 projects are concerned.

6 And, so, I mean, every year we can put it at
7 the bottom of the list and ask for it. That
8 doesn't mean they're going to put it in their CIP
9 and do it, but that shouldn't stop us from asking.

10 CHAIRMAN FACUNDO: Well, the reason why I'm
11 asking why they may frown on it, because they said
12 remove or modify policy. So, obviously, they have
13 an issue. Or right on top --

14 MS. WILLIAMS: I think we're removing the
15 policy that's the bone of contention.

16 CHAIRMAN FACUNDO: Oh, okay. 4.2 and 4.3 --

17 MS. PHILLIPPI: Right.

18 CHAIRMAN FACUNDO: -- I guess. Well, that's
19 -- they had a -- somebody frowned on that.

20 MS. PHILLIPPI: So, we'll remove --

21 CHAIRMAN FACUNDO: Okay.

22 MS. PHILLIPPI: -- 4.2.3 and then modify
23 4.2.2.

24 CHAIRMAN FACUNDO: All right.

25 MS. PHILLIPPI: Okay?

1 CHAIRMAN FACUNDO: Okay. So --

2 MS. PHILLIPPI: I'll read the motion.

3 MS. WILLIAMS: Read through it one more
4 time --

5 CHAIRMAN FACUNDO: Yes.

6 MS. WILLIAMS: -- the top bullet point, how
7 you're going to help -- how it's going to be
8 worded?

9 MS. PHILLIPPI: The Florida Department of
10 Transportation we will support and encourage --

11 CHAIRMAN FACUNDO: Hey, guys, could we --

12 THE COURT REPORTER: Yeah. I can't -- I
13 can't hear this lady when you're talking.

14 I'm sorry. Would you repeat the whole motion
15 again?

16 MS. PHILLIPPI: Did you ask me to read it?

17 MS. WILLIAMS: Yes.

18 MS. PHILLIPPI: Okay. The Florida
19 Department, okay, we will support and encourage
20 the Florida Department of Transportation in the
21 widening of State Road 29 and 82 between I-75 and
22 State Road 29 as the first step in improving
23 transportation access to the Immokalee --
24 Immokalee and the Immokalee Airport.

25 MS. WILLIAMS: Uh-huh.

1 MS. PHILLIPPI: Now, do you want to throw in
2 that State Road 27 stuff?

3 MR. CREWS: Yeah.

4 MR. MCDANIELS: No.

5 MR. CREWS: Because.

6 CHAIRMAN FACUNDO: But why?

7 MR. CREWS: Why leave this going out to State
8 Road 27?

9 CHAIRMAN FACUNDO: Yes, sir.

10 MR. CREWS: It comes on I-75 and wants to go
11 up the center of the state, it will come right
12 through Immokalee by the airport, get whatever
13 it's going to get out of the Tradeport stuff
14 there --

15 CHAIRMAN FACUNDO: And also --

16 MR. CREWS: -- and go straight on up to 27.

17 CHAIRMAN FACUNDO: Okay.

18 MS. PHILLIPPI: Okay. So, I'll put it
19 between I-75 and 29, and then, I guess, a
20 semicolon, and put and between State Road 29 and
21 27?

22 No?

23 MR. OLESKY: We're only talking about a mile.

24 MR. RANDALL: Take out the word, and.

25 MS. PHILLIPPI: And?

1 MR. RANDALL: No. Put the semicolon --

2 CHAIRMAN FACUNDO: Take out the word and.

3 MS. PHILLIPPI: Take out the semicolon and
4 put and?

5 CHAIRMAN FACUNDO: No, no, no.

6 MR. RANDALL: Leave the semicolon --

7 MS. WILLIAMS: And take out and.

8 MR. RANDALL: -- and take out and.

9 MS. PHILLIPPI: Oh.

10 MR. OLESKY: We're only talking about a mile
11 in between.

12 MS. PHILLIPPI: A mile? It's more like
13 eleven miles.

14 MR. OLESKY: No.

15 MS. PHILLIPPI: From LaBelle to Palmdale?

16 MS. WILLIAMS: Yeah. It's the Hendry County
17 line.

18 CHAIRMAN FACUNDO: Hang on, hang on because
19 you're going to confuse her.

20 MS. PHILLIPPI: We're talking about LaBelle
21 Palmdale. That's what he's talking about.

22 MR. OLESKY: I understand what he's talking
23 about, but all of Collier is involved in is a
24 mile.

25 MR. CREWS: Don't worry about that. We want

1 to talk to the state about getting the whole thing
2 done.

3 MR. OLESKY: I know that --

4 MS. PHILLIPPI: And don't think Hendry County
5 isn't doing that and don't think DeSoto County
6 isn't doing that. They're doing it.

7 They're getting in with FDOT in their
8 long-range transportation plan and talking about
9 how to get as much finger roads and railroads and
10 airplanes into their counties as they possibly
11 can.

12 MR. RANDALL: Let me ask you a question.

13 Why is -- why does it appear that the
14 commissioners, I don't want to say all of them,
15 but those that are -- seem to be opposed to this,
16 why does it bother them? What's the negative for
17 Collier County?

18 CHAIRMAN FACUNDO: Good question. I wondered
19 that.

20 MR. RANDALL: I mean, I just don't
21 understand. I mean, you're going to increase
22 transportation. We have the airport. We're going
23 to increase its use, we're going to bring business
24 in. I don't understand.

25 MS. PHILLIPPI: I hope you're not looking at

1 me for an answer.

2 MS. WILLIAMS: I want to say something, but I
3 don't want to say it publicly.

4 MS. PHILLIPPI: She's being videotaped.

5 Okay. So, that's that. And then the next
6 thing we would do is the second bullet. What do
7 we do there?

8 CHAIRMAN FACUNDO: We -- we incorporated.

9 MS. PHILLIPPI: Oh, we incorporated it.

10 CHAIRMAN FACUNDO: Yeah.

11 MS. WILLIAMS: Yeah. We didn't --

12 MS. PHILLIPPI: We eliminated the third
13 bullet and we left in the fourth and fifth bullet.
14 We eliminated 4.2.3.

15 MS. WILLIAMS: Correct.

16 CHAIRMAN FACUNDO: All right. Can we get a
17 motion or is there --

18 MR. RANDALL: So moved.

19 MR. OLESKY: Second.

20 CHAIRMAN FACUNDO: Second.

21 Any discussion? Further? No?

22 MR. CREWS: Miss Penny, I've got a question
23 as long as we be writing this thing.

24 Why can't we put in this thing rail
25 transportation, too?

1 MS. WILLIAMS: We're not --

2 (Everyone talking simultaneously.)

3 MR. CREWS: Me and you talked about this a
4 lot.

5 MS. PHILLIPPI: It cost eight points, that
6 was \$8 million to bring the railway from Palmdale
7 to Immokalee.

8 MR. CREWS: What's it cost in Clewiston?

9 MS. PHILLIPPI: I don't have \$8 million.

10 MS. WILLIAMS: All right. Let's vote on
11 this.

12 MR. CREWS: All right. I'll put mine on the
13 railroad.

14 CHAIRMAN FACUNDO: All in favor?

15 (A chorus of ayes.)

16 CHAIRMAN FACUNDO: Any opposed?

17 MS. PHILLIPPI: That's it.

18 MS. BETANCOURT: Jeff and Jim's question was
19 about Tuesday's meeting.

20 MS. PHILLIPPI: Tuesday or Thursday?

21 MS. BETANCOURT: Tuesday, the Board of County
22 Commissioners.

23 MS. PHILLIPPI: Oh. Usually it's at 1:00
24 o'clock. That's the earliest they can do it.

25 MR. OLESKY: Called time uncertain.

1 MS. PHILLIPPI: But more importantly -- I
2 mean, that's important. It would be very good if
3 all the board Advisory Committee could be there if
4 at all possible.

5 Also, Thursday -- is it next Thursday, Jeff,
6 that your next MSTU meeting is?

7 MR. NAGLE: Wednesday.

8 MS. PHILLIPPI: Wednesday. Next Wednesday is
9 the MSTU meeting. And I think you really want to
10 come and talk to those guys and see what they're
11 doing, because we share that employee, and you
12 really need to see what's happening.

13 You're not going to get reports today from
14 the -- I mean, you have the --

15 MS. WILLIAMS: Wednesday at what time?

16 MS. PHILLIPPI: Ten. 10:00 a.m.

17 MR. RANDALL: I've got another question.

18 With regard to the presentation that's going
19 to be made to the county board, I'm assuming,
20 Penny, this is going to be written up?

21 MS. PHILLIPPI: Yes. I'm going to write it
22 up. I have to send it to the County Attorney as
23 soon as I can -- as soon as I can.

24 MR. RANDALL: Okay.

25 MS. PHILLIPPI: And he has to review it and

1 then I will present it to the Board of County
2 Commissioners along with the video of the folks in
3 Immokalee saying whatever they want to say.

4 MR. RANDALL: Okay. But when did you think
5 you could have the written report? Excuse me.
6 When will the attorney get it?

7 MS. PHILLIPPI: I'm going to write mine up
8 today and tomorrow. I don't know how long it will
9 take us. We'll get -- we'll just get a CD from
10 the court reporter. We won't get written up
11 documents. So, we'll have to print that out, I
12 guess.

13 MR. RANDALL: Because I just want to make
14 sure that they're not going to say, well, we
15 didn't enough time, I just got it in my packet
16 this morning, you know.

17 I'm trying to take away whatever excuse
18 they're going to give.

19 MS. BETANCOURT: You're going to lose your
20 quorum, and you can't vote on anything else.

21 MS. PHILLIPPI: Goodbye.

22 MR. RANDALL: But, in any event, I would just
23 -- I suggest as soon as possible. I know you will
24 do that. Maybe with the request of the attorney
25 to review it and get it to the board.

1 MS. PHILLIPPI: I will ask for expedited
2 service.

3 MR. RANDALL: Yeah.

4 MS. PHILLIPPI: Expedited request for legal
5 services.

6 MR. RANDALL: Yeah. Sure.

7 CHAIRMAN FACUNDO: Can we adjourn?

8 MS. PHILLIPPI: I think you can let the
9 video-tographer and the court recorder go.

10 CHAIRMAN FACUNDO: All right. Thank you.

11 (The proceedings concluded at 11:39 a.m.)

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CERTIFICATE OF REPORTER

State of Florida)

County of Collier)

I, Rose Marie Witt, RPR, and Notary Public in and for the State of Florida at Large, certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true and complete record of my stenographic notes to the best of my ability.

I further certify that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties, attorney or counsel connected with the action, nor am I financially interested in the action.

Dated this 23rd day of September, 2012.

Rose Marie Witt