

MINUTES

Meeting of the Immokalee Community Redevelopment Agency Advisory Committee on September 16, 2015.

750 South 5th Street, Immokalee, FL

A. Call to Order.

The meeting was called to order by Edward “Ski” Olesky, CRA Advisory Board Member at 8:56 A.M.

B. Roll Call and Announcement of a Quorum.

Advisory Committee/EZDA Members Present:

Ski Olesky, Estil Null, Cindy Lozano, Martha Williams, Andrea Halman, Jim Wall (9:02AM), and Joseph Mucha (9:06 AM).

Advisory Committee/EZDA Members Absent/Excused:

Mike Facundo, Frank Nappo, and Bryan Fluech.

Action: A quorum was announced as being present for all boards.

Others Present: Carrie Williams, Chief Paul Anderson, Pam Brown, Daniel Gonzalez, Marvin Courtright, Priscilla Roman, Eva Gonzalez, Lupe Gonzalez, and Steve Hart.

Staff: Brad Muckel, Christie Betancourt, and James Sainvilus.

C. Introductions. The board members present and members of the public introduced themselves.

D. Announcements.

Staff has two announcements today.

1. Meetings and Public Comment speaker slips.

Staff will start instituting a public comment speaker slip policy. These speaker slips will be available at every meeting. If you are interested on speaking on a topic on the agenda you will have 3 minutes to speak on that item on the agenda. This policy is followed by all advisory board throughout the county. Advisory board members and staff will be sitting at the table. Public Petitions will also be accepted with a 30 day notice.

Chief Paul Anderson said that this 3 minute policy does not give you enough time to talk about anything. Just not enough time to comment on anything.

2. Immokalee Town Hall Meeting with Commissioner Nance

The Immokalee Town Hall Meeting with Commissioner Nance will be held on Thursday, October 8th from 6:00 PM to 8:00 PM. Please bring all your comments for the commissioner.

E. Adoption of Agenda.

Staff added agenda item K.3.i. – Enclosure 11- Bryan Fluech resignation email.

Action: Mr. Estil Null made a motion to approve the Agenda with added agenda item K.3.i. Enclosure 11 – Bryan Fluech resignation email. Ms. Andrea Halman seconded the motion and it passed by unanimous vote. 6-0.

F. Communications.

The Communication folder contained:

1. Public Notice

2. Advisory Board Contact list

3. Naples Daily News – Walmart Article from August 18th.

Staff reviewed the communications folder with the board.

G. Approval of Minutes

1. Joint CRA/EZDA & MSTU Advisory Committee Meeting for August 19, 2015 (Enclosure 1)

Action: *Mr. Estil Null made a motion to approve the minutes for the August 19, 2015 CRA Advisory Committee Meeting. The motion was seconded by Ms. Andrea Halman and the minutes were approved by unanimous vote. 6-0.*

H. BCC Agenda Items for September 2015.

No items in September.

I. Red Flag Items.

1. Fred's Drive Thru – update

Staff provided board with an update on the Fred's Drive Thru situation that we have been working on for about two month now. Fred's Drive Thru is within the Main Street Overlay Subdistrict. Mr. Fred Gaston has a buyer who wants to redevelop the property into a gas station. Currently this use is prohibited in the Main Street Overlay Subdistrict. The CRA will be taking a Land Development Code amendment to the Board of County Commissioners at the next review cycle. We are going to propose that we reduce the size of it and this will allow Fred Gaston to move forward with the sale so that the property can be developed into a gas station. This item is also being discussed under new business.

2. Marvin Courtright – Cargo Facility Enclosure (2a & 2b)

Staff provided board with Enclosure 2a and 2b that were provided by Mr. Marvin Courtright.

Enclosure 2a was provided to most board members at the August 19th CRA Board meeting. This enclosure has information regarding Foreign Trade Zone No. 213 and U.S. Customs Port No. 1881 at the Immokalee Regional Airport. Attached is all the backup information for the inspection facility including a letter from Humming Bird Flight Services, an executive summary, a resolution, a workorder, a photographs of the building, and a aerial photo of facility.

Enclosure 2b was provided to CRA and is being presented to you today. This enclosure is the (FDOT) Florida Department of Transportation (JPA) Joint Participation Agreement otherwise known as the grant agreement.

Mr. Courtright also provided staff with another handout today that staff passed out to board. It was a picture of Cargo facility and the JPA cover letter which we already in the packet provided in Enclosure 2a.

J. CRA New Business

1. LDC Amendment update – Form Based Guidelines (Enclosure 3)

Staff provided board with an update on the LDC Amendment. We have two amendments that we are proposing to bring to the Board of County Commissioners: 1.) Reduce the size of the Main Street Overlay Subdistrict 2.) is to adopt the Form Based Guidelines or Public Realm plan or a hybrid of both that this board put together with subsequent BCC approval in 2010. We are going to have a workshop on October 1st from 6:00 PM – 8:00 PM in this room (Careersouce) so we can familiarize ourselves with these documents. We will discuss the setback requirements, the architectural features, color palette, and other sort of standards.

Staff provided board with Enclosure 3 which is a copy of the Central Business District Form Based Guidelines. Staff briefly reviewed the guidelines with the board. We will go through these guidelines in detail at the workshop.

Mr. Wall asked staff if we are performing community vetting. Mr. Muckel said that this is what the workshop is for. Another topic of discussion at the workshop will be the geographic applicability of this document and if the Advisory Board and community would like to include the 15th Street Sub-District which is shown on page 7 of the Form Based Guidelines.

Ms. Carrie Williams wanted to know if the 15th Street Subdistrict has guidelines in place.

Mr. Muckel said there is no overlay in place at that location; it is boarded to the north by the SR 29 Overlay Subdistrict and to the south by the Main Street Overlay Subdistrict. He referred board to page 12 of the Form Based Guidelines and read the desired goals for each of the areas.

Main Street Corridor:

Goal 1: Strengthen the pedestrian orientation of this area by ensuring the sidewalk/public activity areas are widened.

Goal 2: Encourage the development of storefront buildings along the Main Street corridor.

Goal 3: Encourage two story mixed-use buildings, while allowing for the smaller building types that have historically located along this corridor.

Goal 4: Require key architectural elements to create an identifiable cultural theme.

First Street Corridor:

Goal 1: Require new buildings to locate close to the street.

Goal 2: Encourage the development of storefront buildings along the 1st Street corridor.

Goal 3: Provide building continuity along the block to encourage pedestrian activity.

Goal 4: Emphasize the importance of architecture in creating a gateway into downtown Immokalee.

Fifteenth Street Corridor (Optional):

Goal 1: Transition the urban form to a less urban pattern of development by requiring new buildings to locate close to the street; however, allowing for more flexibility in the block/ building continuity along the sidewalk.

Interior Streets:

All streets running perpendicular and parallel to the main corridors noted above.

Goal 1: Develop a pedestrian-oriented character by requiring new buildings to locate close to the street.

Goal 2: Allow narrower sidewalks than those along the main corridors in order to provide a transition between the prominent urban corridors of Main Street, First Street and Fifteenth Street to the more residential areas adjacent to the downtown.

This document was never codified so we are going to bring to the Board of County Commissioner at the next cycle to make it law. None of these guidelines are in place.

Mr. Estil Null asked if we extended this to cover all commercial buildings within Immokalee will the business there now be grandfathered in. Staff said yes as long as the business doesn't sit vacant for more than six months.

Martha Williams asked if a business sits empty for six months then they would have to come up to code?

Mr. Muckel said if you don't have an active occupational license for more than six months then the business owner will have to bring building up to code. Staff will be sending a workshop Agenda for the October 1st public meeting.

Mr. Jim Wall wanted to know if we could take care of some items prior to the October 1st workshop. He would like to get a better feeling regarding the board members and the community position.

Ms. Cindy Lozano would like to leave the guidelines as they are because this would incur more work.

Mr. Estil Null would like to include more areas on the Main Street, North 1st Street up to new Market Road that is not included in the boundary depicted in the proposed Form-Based Design Guidelines document.

Mr. Muckel said we could extend the red line to include those areas if directed to do so.

Ms. Betancourt said that we could leave the Form Based Guidelines as it is and rename it and codify it.

Mr. Julio Estremera asked "Why the form based guidelines weren't codified back when the BCC approved them five years ago?"

Staff said these guidelines were tied into the Draft Immokalee Area Master Plan that wasn't approved.

Mr. Wall reminded the board that at one point in time we all agreed on this copy of the Form Based Guidelines.

Ms. Andrea Halman said that some of the advisory board members are new at this and we don't know the history. Staff will pull together the history of these guidelines. Ms. Halman would also like a bigger map of the area for the Main Street Overlay Subdistrict.

Ms. Cindy Lozano said that we need to use our money wisely and continue to work with the plan that we have already worked on rather than paying consultants to modify the already approved document.

Mr. Estil Null would like to have a breakfast meeting a week before our workshop.

Mr. Muckel said that he met with the designer for the potential gas station at Fred's Drive thru location and he thanked him for providing this document as a guide for his design.

After much discussion board agreed to have a Special Breakfast Meeting on Tuesday, September 22, 2015 at 8:30 AM in this conference room at the Careersouce Center to review the Land Development Code Amendment for Immokalee regarding the Central Business District Form Based Guidelines that is being presented at the October 1st Public Workshop.

2. CRA Commercial Grant Programs – Workshop Open Discussion
Staff provided board with both applications for the Commercial Façade Grant Program and the Sweat Equity Grant.
 - i. Commercial Façade Grant
 - ii. Sweat Equity Grant

***Mr. Ski Olesky asked all public in attendance if they had any item they would like to discuss before we move on to the next agenda item.**

Mr. Lupe Gonzalez would like for the CRA to get microphones for all the board, and staff so the hard of hearing can hear. Staff said they are working on getting the equipment ordered.

He also wanted to address issues at Eden Park Elementary school from Westclox Road all the way down to the school. The right side of the sidewalk has flooding issues and areas with overgrown weeds. A housing development in that area has overgrown weeds and trash. Board members said that Code Enforcement should send a letter to the development to have them maintain the property. Staff announced that Ms. Priscilla Roman who works with Dottie Cook can provide n update on that property. The property is undergoing new management and Rural Neighborhoods is now maintaining the property.

3. Draft Immokalee Stormwater Master Plan Update
As you guys know we had a consulting firm for quite a while now working on an update of the Immokalee Stormwater Master plan. That was the plan for Immokalee that was drafted by the South Florida Water Management District Big Cypress Basin back in 2005. They had six projects that they identified as having nuisance flooding and contaminates in stormwater throughout Immokalee. We have now designed and constructed two of the six projects. We did the Downtown Stormwater Project and the Immokalee Drive Project. The consulting firm put in their scope that they would provide a draft update of the Immokalee Stormwater Master Plan. Attached in your packet is Enclosure 6 which is a draft copy of the Immokalee Stormwater Master Plan. Staff reviewed the draft plan with the board.

Ms. Pam Brown wanted to know where we are getting the money to implement the Immokalee Stormwater Master Plan

Mr. Bradley Muckel said that all the construction money came from the Disaster Recovery Initiative (DRI) funds. The design money came from CRA TIF funds, the Collier County Transportation Department, the South Florida Water Management District Big Cypress Basin and the Immokalee MSTU.

Construction money came from (HUD) Housing and Urban Development. The first round of construction money came from Disaster Recovery Initiative (DRI) and the second round came from Disaster Recovery Enhancement Funds (DREF).

Chief Paul Anderson wanted to know if we could reconsider the Priority Ranking of the proposed project scoring matrix for Fish Creek.

Section 4 • Ranking / Priority Matrix

Table 4-1: Priority Ranking of Proposed Projects

Criteria	Lake Trafford Road Culvert	Fish Creek	Detention Pond on Lake Trafford Road	Detention Pond on Immokalee Drive	Thomas Lane	Weeks Terrace
Priority Needs Identified by the Immokalee Community Redevelopment Agency Advisory Board (2=Included in the 2005 Immokalee Stormwater Master Plan; 1=Added to Previous 2005 ISWMP Recommendations; 0=Not included in the 2005 ISWMP.)	2	2	1	1	1	1
Improvement in Level of Drainage Service (2=Greatly Improves Drainage; 1=Slightly Improves Drainage; 0=Doesn't Improve Drainage.)	2	2	2	2	2	2
Improvement in Environmental Quality (2=Greatly Improves Environmental Quality; 1=Slightly Improves Environmental Quality; 0=Doesn't Improve Environmental Quality)	0	2	2	2	0	0
Incentive for Redevelopment Activities (2=Encourages High Volume of New Businesses to the area; 1=Encourages Existing Businesses to stay in the area; 0=Doesn't Encourage New or Existing Businesses to the area.)	1	2	2	2	1	1
Budget/Cost (2=Project is low cost and can be completed within the budget; 1=Project is high cost and can be completed within the budget; 0=Project is high cost.)	2	0	1	1	1	1
Land Acquisition Need and Feasibility (2=No new land is needed; 1=Land owners are willing to sell; 0=Land owners are not willing to sell.)	2	0	1	1	2	2
Permitting Complexity (2=Project doesn't have a complex scope and permitting will have a short timeframe; 1=Project doesn't have a complex scope but permitting timeframe may take a while; 0=Project has a complex scope and permitting timeframe will be long.)	2	0	1	1	1	1
Adequacy of Existing and Proposed Stormwater Outfalls (2=Project doesn't require additional Stormwater Outfalls; 1= Project requires additional Stormwater Outfalls.)	2	2	2	2	2	1
Time to Project Completion (2=Project completion is less than 6 months; 1=Project completion is between 6 months and 1 year; 0=Project completion is over 1 year.)	2	1	1	1	2	2
Benefit to Residential Land Uses (2= Project benefits a relatively large number of residential properties; 1= Project benefits a relatively small number of residential properties; and 0 = Project benefits no residential properties.)	2	2	2	2	1	1
Benefit to Commercial Land Uses (2= Project benefits a relatively large number of commercial properties; 1= Project benefits a relatively small number of commercial properties; and 0 = Project benefits no commercial properties.)	0	0	0	1	0	0
Benefit to Agricultural Land Uses (2= Project benefits a relatively large number of agricultural properties; 1= Project benefits a relatively small number of agricultural properties; and 0 = Project benefits no agricultural properties.)	0	0	1	1	0	0
Benefit to Conservation/Natural Land Uses (2= Project benefits a relatively large number of conservation / natural land properties; 1= Project benefits a relatively small number of conservation / natural land properties; and 0 = Project benefits no conservation / natural land properties.)	0	1	1	1	0	0
Project Completion from a Downstream to Upstream (normal stormwater flow direction) Progression (1= Yes; 0 = No)	1	1	1	1	1	1
Public Support (2 = Strong public support; 1 = Neutral public support; 0 = Project has public concerns)	0	0	1	1	2	2
Total Score	18	15	19	20	16	15

4. Impact Fee Deferral Program Invoice
Staff provided board with Enclosure 7 which is detailed description of the Immokalee Deferral Program Reimbursement from TIF Tax Year 2014. Staff reviewed invoice with the board.
5. Draft Resolution: Immokalee CRA Advisory Board Membership Criteria & Enterprise Zone Sunset.
Staff provided board with Enclosure 8 which is a resolution amending Resolution #2001-98 relating to membership of the Immokalee Community Redevelopment Agency Local Advisory Board. As you all know that the Immokalee Enterprise Zone Development program is set to sunset on December 31, 2015. The CRA Advisory committee for Immokalee is attached to the Immokalee Enterprise Zone Development Agency both are one in the same. The bylaws section of the CRA enabling ordinance states that the CRA advisory board criteria is established by the Enterprise Zone ordinance. Staff will need to bifurcate the two legal documents allowing the EZDA to sunset while simultaneously defying CRA Advisory Board criteria. I will need your vote or critique for this resolution that has been sent to the county attorney's office. Staff read resolution section 6 to the board.

SECTION 6: Immokalee Local Redevelopment Advisory Board

~~In order to assure a comprehensive approach in the Immokalee community, the Immokalee Enterprise Zone Development Agency as created by the BCC pursuant to Collier County Ordinance 95-22, as amended, shall be the Immokalee Local Redevelopment Advisory Board. The Immokalee Local Redevelopment Advisory Board shall adhere to the provisions of these bylaws, except as otherwise provided by Collier County Ordinance 95-22, as amended.~~

Consideration should be given to appointing members of the Advisory Board for the Immokalee component redevelopment area as follows:

- a) Three (3) Immokalee residents;
- b) Three (3) individuals representing Immokalee businesses
- c) Three (3) representatives from local law enforcement to include County Code Enforcement, Sherriff's Office or Immokalee Fire Control District
- d) One (1) Immokalee MSTU Representative
- e) One (1) individual representing a non-profit operating in the Immokalee Component Redevelopment Area
- f) One (1) at-large representative who resides or engages in business, or both, in the Immokalee Component Redevelopment Area
- g) One (1) individual representing the Immokalee Chamber of Commerce

SECTION 7: Application Procedures

Applicants must be residents and electors of Collier County. Residents interested in applying to serve on an advisory board shall submit a letter requesting such appointment and containing a brief resume to the CRA. Guidelines for appointing the members to the advisory board will be consistent with those procedures outlined in BCC Resolution 94-136. Given Immokalee's close proximity to both Lee and Hendry County's, waivers to the residency requirement can be awarded by the BCC to individuals who fall into one of the categories identified in Section 6, bullets a. thru g.

c) Three (3) representatives from local law enforcement to include County Code Enforcement, Sherriff's Office or Immokalee Fire Control District

d) One (1) Immokalee MSTU Representative

e) One (1) individual representing a non-profit operating in the Immokalee Component Redevelopment Area

f) One (1) at-large representative who resides or engages in business, or both, in the Immokalee Component Redevelopment Area

g) One (1) individual representing the Immokalee Chamber of Commerce

Staff would like to add updates from each representative on the Agenda once this resolution is approved.

Action: *Mr. Estil Null made a motion to approve recommended resolution changes as shown in Enclosure 8. The motion was seconded by Mr. Julio Estremera and the motion was approved by unanimous vote. 7-0.*

K. Old Business

1. CRA Project Manager Report

Staff provided board with an update on the two storm water projects.

i. Drainage and Sidewalk Improvements Projects

a. Immokalee Drive Project

Staff provided board with Enclosure 9 which is a punch list conducted by county staff on September 2, 2015 for items that need to be completed by the contractor. Quality has agreed to do work a warranty work.

b. Colorado Avenue Project

Staff provided board with Enclosure 10 which is a punch list conducted by county staff on September 2, 2015 for items that need to be completed by the contractor. Marquee has not responded to request for warranty work to be completed.

2. MSTU Project Manager Report
Staff provided board with an update on the Immokalee Lighting and Beautification MSTU projects and activities. Mr. Sainvilus discussed the Christmas Tree Lighting Event that will be held on December 3, 2015. He also discussed the Christmas banners, the Cornucopia banners, and the replacement of the median light poles with LCEC black poles.
3. Advisory Board Vacancies – update
 - i. Bryan Fluech email resignation
Staff provided board with added Enclosure 11 which is a resignation email provided by Mr. Fluech.

Action: *Mr. Jim Wall made a motion to accept Mr. Fluech resignation email. The motion was seconded by Mr. Julio Estremera and the motion was approved by unanimous vote. 7-0.*

4. Marketing
Steve Hart from Relevanza provided board with a report on the new www.ImmokaleeToday.com website that was built on word press. This website is entirely new and has more traffic. The reason for the delay of this new website was that we had a lot of post that we had to move over to the new website. Staff will be sending a request for quote for Web Site updates and Maintenance and Miscellaneous Graphic. Scope of Services will include:
 1. Ongoing content production for site updates on www.ImmokaleeToday.com.
 2. Web hosting for 12 months and license fee for content management system.
 3. Post monthly CRA & MSTU Advisory Board meeting minutes
 4. Content Database and Server maintenance services.
 5. Web space provided for documents and graphics.
 6. Maintenance of Facebook pages, distribution of content via Twitter and other Social Media on a quarterly basis.
 7. Support for other content providers on www.ImmokaleeToday.com.
 8. Production of Immokalee properties listings online and offline from Excel spreadsheet – Interactive land Inventory.
 9. Search Engine Optimization.
 10. Third Party cost reimbursements, domain registration, domain administrative services, e-mail marketing system, & travel expenses.
5. Code Enforcement – update
Mr. Joe Mucha provided board with an update on Code Enforcement in Immokalee.
 - i. McCrory’s Building
Mr. Mucha said he has no new update from last month for the McCrory’s Building. Fines are still being imposed and he will keep us posted of any changes.
 - ii. Mr. 99 Cents Building
This building has been demolished.
 - iii. Mobile Home Park Initiative
No update was provided
 - iv. Open Air Flea Markets
Mr. Joe Mucha provided board with a copy of an email from the Zoning Department regarding the two open air flea markets in Immokalee.

Mr. Mucha sent an email to zoning department regarding the boards concern about the open air flea markets tent frames that are being left on the property permanently. The response email came from Ray Bellow noted that the subject property is zoned MSOSD which allows for the outdoor display of merchandise on improved commercial property subject to Site Development Plan approval. Even though the zoning overlay doesn't address tents, there should be an approved Site Development Plan that may provide more information concerning any requirement that the tents can remain up on the property all week or if they are required to be removed. If there is no Site Development Plan, then the tents would have to be removed each night unless some other approval is given such as a temporary use permit.

Danny Gonzalez the owner of one of the markets confirmed that he has a Site Improvement Plan not a Site Development Plan and has adhered to all the county requirements for his business. He said that he has his own policies for his tenants and he has acquired all the proper insurances. He said that the code enforcement department in Immokalee has selected code enforcing policies. They don't enforce in the surrounding areas where his business is located during the weekends because code doesn't work on the weekends.

Carrie Williams said the same complaints that Mr. Gonzalez is receiving about the people setting up in the surrounding areas of his flea market are the complaints we are receiving about his flea market from the building business owners.

L. Citizen Comments:

Mr. Jim Wall provided a report to the board from Southwest Florida Workforce Development Board has done over the past year.

Pam Brown discussed the Big Corkscrew Island Regional Park. She would like for board and public present to complete survey located on the county website www.colliergov.net. The survey needs to be completed by tomorrow.

She also said that more needs to be done with State Road 82. We need to get help on this road. I saw that FDOT will be having a workshop in December and we need to make sure this board and community is vocal on what needs to be done. Our voices need to be heard. How many more people have to die before this road gets fixed?

Chief Paul Anderson said that most of the engineering and design isn't in their budget until 2018 for State Road 82 in the FDOT budget.

Staff said that we need to make sure we bring this up at Commissioner Nance's Town Hall Meeting on October 8th and at the quarterly FDOT Coordination Meetings.

M. Next Meeting Date: CRA & EZDA Meeting October 21, 2015 at 8:30 A.M.

N. Adjournment: The meeting adjourned at 11: 51 AM