

ORDINANCE NO. 2025 - 27

AN ORDINANCE CREATING THE IMMOKALEE COMMUNITY REDEVELOPMENT ADVISORY BOARD; PROVIDING FOR THE FUNCTIONS, POWERS AND DUTIES OF THE ADVISORY BOARD; PROVIDING FOR APPOINTMENT AND COMPOSITION; PROVIDING FOR TERMS OF OFFICE; PROVIDING FOR REMOVAL FROM OFFICE; PROVIDING FOR OFFICERS, QUORUM, AND RULES OF PROCEDURE; PROVIDING FOR REIMBURSEMENT OF EXPENSES; PROVIDING FOR SEPARATION OF MSTU AND CRA ACCOUNTS; PROVIDING FOR REPEAL OF ORDINANCE NO. 02-52, AS AMENDED, WHICH CREATED THE IMMOKALEE BEAUTIFICATION ADVISORY BOARD, PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Collier County Ordinance No. 2002-52, as amended, established the Immokalee Beautification Advisory Committee to advise the Board on matters pertaining to the Immokalee Beautification Municipal Service Taxing Unit (MSTU); and

WHEREAS, Collier County Resolution No. 2001-98 established the Immokalee Local Redevelopment Advisory Board to advise the Board and the Collier County Community Redevelopment Agency (CRA) on matters pertaining to the Immokalee Community Redevelopment Area as identified by Resolution No. 2000-82; and

WHEREAS, the Board of County Commissioners (Board) desires to merge these two committees into a single unified advisory committee, to advise the Board and/or CRA on matters pertaining to both the MSTU and the Immokalee Community Redevelopment Area.

NOW, THEREFORE. BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

SECTION ONE: Establishment of the Immokalee Community Redevelopment Advisory Board.

The Board of County Commissioners hereby establishes the Immokalee Community Redevelopment Advisory Board (the “Committee”). The purpose of the Committee is to serve as the primary source of community input to the CRA and Board regarding the Immokalee

Community Redevelopment Area and MSTU, and to make recommendations to the CRA and Board to further the goals of the Immokalee Community Redevelopment Area component of the Collier County Community Redevelopment Area Plan and MSTU.

SECTION TWO: Functions, Powers and Duties of the Committee.

The function, powers and duties of the Committee shall be as follows:

- A. To aid and assist the Board of County Commissioners in carrying out the purposes of providing landscape beautification as set forth in Collier County Ordinance No. 92-40, as it may be amended from time to time.
- B. To prepare and recommend to the Board of County Commissioners an itemized budget of the amount of money required to carry out the business of the MSTU for the next fiscal year. In carrying out this responsibility, the Committee shall, no later than April 1 of each year, meet with the County Administrator or his designee and outline to the County Administrator or his designee those projects which the Committee wishes to see accomplished during the next fiscal year. Based upon this information, the County Administrator or his designee shall prepare a proposed budget for the Municipal Service Taxing Unit, in accordance with the standard County guidelines regarding the preparation of budgets. This proposed budget shall then be reviewed by the Committee and upon approval by the Committee be transmitted through the County Administrator or his designee to the Board of County Commissioners for adoption in accordance with the procedures for the adoption of budgets set forth under general law and the Board of County Commissioners' policy. Should the Committee fail to approve a budget by June 1 of each year, the County Administrator or his designee shall be authorized to submit a proposed budget to the Board of County Commissioners.
- C. To recommend MSTU work programs and priorities to the County Administrator or his designee in accordance with the adopted budget or budget amendments which may be adopted by the Board of County Commissioners. The execution of work programs shall be under the direct supervision and responsibility of the County Administrator or his designee. Said work may be performed under contract (in accordance with law) or by County workforce. Upon Board direction, following approval of the Collier County Community Redevelopment Agency, the designee may be the Executive Director of the Immokalee Community Redevelopment Agency, who may employ staff to help carry out the duties set forth below.

D. To review the Immokalee Community Redevelopment Area component of the Collier County Community Redevelopment Plan and when necessary recommend to the CRA any changes to the Plan.

E. To develop plans and budgets including expected personnel costs to realize the goals of the Immokalee Community Redevelopment Area component of the Collier County Community Redevelopment Plan including developing an annual work program, identifying project priorities, identifying appropriate capital expenditures, and developing incentives to further the redevelopment efforts and recommendations to the CRA on CRA Plan implementation, including developing an annual work program, setting project priorities and developing incentives to further the redevelopment efforts and carry out and effectuate the purposes and provisions of Part III, Chapter 163, Florida Statutes, the Community Redevelopment Act to be reviewed and approved by the CRA prior to each fiscal year.

F. Consistent with the plans and budgets approved by the CRA, identify and employ or retain by contract such staff, personnel, technical experts, legal counsel, and other such agents and employees, permanent or temporary, as it requires, and determine their qualifications and duties. The Advisory Board may request and recommend contracts either with the County or with other persons, firms and individuals to provide services for and on behalf of the CRA.

G. To receive input from members of the public interested in redevelopment of the Immokalee Community Redevelopment Area and beautification of Immokalee through MSTU projects, and to report such information to the CRA.

H. To maintain general oversight of all CRA activities, acquisitions, or other undertakings consistent with the power and authority delineated in Part III, Chapter 163 *Florida Statutes* that may further the interests of the Immokalee Community Redevelopment Area and facilitate realization of the Redevelopment Plan.

I. To perform other duties as directed by the Board or CRA.

SECTION THREE: Appointment and Composition.

The Committee shall be composed of nine voting members and two non-voting members. In keeping with Ordinance 01-55, as amended, the County Advisory Board Ordinance, members

of the Committee shall be appointed and serve at the pleasure of the Board of County Commissioners. The membership of the Committee will be as follows:

- (1) Two voting members shall be permanent residents within the Immokalee Community Redevelopment Area and electors of Collier County.
- (2) Two voting members shall be an owner or appointed representative of a business or commercial property within the Immokalee Community Redevelopment Area.
- (3) One voting member shall be an owner or appointed representative of a non-profit entity owning property and operating within the Immokalee Community Redevelopment Area.
- (4) One voting member shall be a permanent resident within the MSTU and elector of Collier County.
- (5) Three voting members shall be at-large members who are either permanent residents within the Immokalee Community Redevelopment Area or an owner of a business or commercial property within the Immokalee Community Redevelopment Area or an owner or appointed representative of a non-profit entity owning property and operating within Immokalee Community Redevelopment Area.
- (6) Two non-voting members shall be at-large members who are either permanent residents within the Immokalee Community Redevelopment Area or an owner of a business or commercial property within the Immokalee Community Redevelopment Area or an owner or appointed representative of a non-profit entity owning property and operating within Immokalee Community Redevelopment Area.

SECTION FOUR: Terms of Office.

The initial terms of office of the Committee members shall be as follows:

- (1) Three voting members shall serve an initial term of two years.
- (2) Three voting members shall serve an initial term of three years.
- (3) Three voting members shall serve an initial term of four years.
- (4) The non-voting members shall serve an initial term of four years.

Thereafter, each appointment or re-appointment shall be for a term of four (4) years. Appointments to fill any vacancies on the Committee shall be for the remainder of the unexpired term of office.

SECTION FIVE: Removal from Office.

Removal of members from the Committee shall be in accordance with the provisions of Collier County Ordinance No. 2001-55, as amended; however, any member of the Committee may be removed from the Committee, with or without cause, by a majority vote of the Board of County Commissioners.

SECTION SIX: Officers; Quorum; Rules of Procedure.

A. Annually the members of the Committee shall elect a chairman and vice chairman from among the members. Officers' terms shall be for one (1) year with eligibility for re-election.

B. The presence of five or more members shall constitute a quorum of the Committee necessary to take action and transact business.

C. Initially, the CRA will approve By-laws of the Committee. Thereafter, the Committee shall, by majority vote of the entire membership, adopt rules of procedure or guidelines for the transaction of business and shall keep a written record of meetings, resolutions, findings and determinations. Any such rules of procedure or guidelines are subject to approval by the CRA.

SECTION SEVEN: Reimbursement of Expenses.

Members of the Committee shall serve without compensation but shall be entitled to receive reimbursement for expenses reasonably incurred in the performance of their duties upon prior approval of the Board of County Commissioners.

SECTION EIGHT: Separation of MSTU and CRA Accounts.

MSTU funds will be in a Board of County Commissioners account. CRA funds will be in a CRA account. The MSTU fund account and CRA fund account shall at all times be separate accounts and not co-mingled.

SECTION NINE: Repeal of Ordinance and Resolutions.

Ordinance No. 02-52, as amended, which created the Immokalee Beautification Advisory Committee is hereby repealed.

SECTION TEN: Conflict and Severability.

In the event this Ordinance conflicts with any other ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION ELEVEN: Inclusion in the Code of Laws and Ordinances.

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Collier County, Florida. The sections of the Ordinances may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

SECTION TWELVE: Effective Date.

This Ordinance shall become effective upon filing with the Florida Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 27 day of May, 2025.

ATTEST:
CRYSTAL K. KINZEL, CLERK

By: 

Attest as to Chairman's Deputy Clerk
signature only


BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: 

Burt L. Saunders, Chairman

Approved as to form and legality:

 
Heidi Ashton-Cicko 4-1-25
Managing Assistant County Attorney

This ordinance filed with the
Secretary of State's Office the
30th day of May, 2025
and acknowledgement of that
filing received this 30th day
of May, 2025
By: 
Deputy Clerk



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

May 30, 2025

Crystal K. Kinzel
Clerk of Court
Collier County
3329 Tamiami Trail E, Suite #401
Naples, FL 34112

Dear Crystal Kinzel,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Collier County Ordinance No. 2025-27, which was filed in this office on May 30, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp