

May 18, 2022

MINUTES OF THE MEETING OF THE
PARKS & RECREATION ADVISORY BOARD

Naples, Florida, May 18, 2022

LET IT BE REMEMBERED, the Collier County Parks and Recreation Advisory Board in and for the County of Collier, having conducted business herein, met on this date at 2 P.M. in REGULAR SESSION at Paradise Sports Complex, 3940 City Gate Blvd. S., Naples, Florida, with the following members present:

CHAIRMAN: Edward "Ski" Olesky
VICE CHAIR: Joshua Fruth
Paul DeMarco
Rebecca Gibson-Laemel
Kristina Heuser (excused)
Kenneth Lee Dixon (excused)
Jessica Bergel
Donna Fiala (alternate/excused)

ALSO PRESENT: Miguel Rojas Jr., Administrative Assistant, Parks & Recreation
Olema Edwards, Regional Manager, Parks & Recreation
Marissa Baker, Manager, Paradise Sports Complex
Randy Hopkins, Interim Regional Manager, Parks & Recreation

Any persons in need of a verbatim record of the meeting may request a copy of the Zoom recording from the Collier County Parks & Recreation Department.

I. Call to Order

Chairman Olesky called the meeting to order at 2:15 p.m.
A quorum of five was established.

II. Pledge of Allegiance and Invocation

The Pledge of Allegiance was recited, and an invocation/moment of silence was observed.

III. Approval of Agenda

Mr. DeMarco moved to approve the agenda. Second by Mr. Fruth. The motion was carried unanimously, 5-0.

IV. Previous Meeting Minutes

Mr. Fruth moved to approve the April 20, 2022, meeting minutes. Second by Ms. Bergel. The motion carried unanimously, 5-0.

V. Public/Board Comments

Ms. Gibson-Laemel said it was nice to meet here. It would be nice to meet at other community parks so others could see them.

Mr. DeMarco asked if that would be disruptive to staff.

Ms. Edwards said it was not disruptive and she wanted to give Board members the ability to go out into the parks to see different things.

A discussion ensued and the following points were made:

- They could alternate park visits each month.
- They can visit six or seven parks per year.
- They can put it on the calendar so they can plan their trips.

Ms. Edwards announced that Melissa Hennig is no longer the regional manager and returned to Conservation Collier as an environmental specialist. Her position is open. She's considering moving the Park Ranger Supervisor to interim manager because he covers marinas. We can't hire now until the County Manager is hired.

VI. New Business

a. Welcome to Paradise Coast Sports Complex [Marissa Baker, manager]

Ms. Baker welcomed everyone to the new complex. She provided a summary of the new complex, what they have and what's coming. There are four multipurpose fields and the championship stadium, which is where they are now. Phase 2 will include more five more rectangular fields for football, lacrosse, soccer, multipurpose and for events. Phase three will include six baseball diamonds and five softball diamonds.

In addition, there possibly will be an RV parking campsite coming. They have an indoor gymnasium-hurricane shelter attached to this building and are applying for grant funding for the hurricane shelter. Uline is building six volleyball courts. They've been fortunate and have hosted several events, including the FHSAA State Lacrosse Championships.

Board members noted that it was difficult to find the complex and The Cove on GPS.

Mr. Fruth said there is a wayfinding package coming, but they just need to ask the contractor to move on that.

b. Public Petition Request (Commercial Launch Permit for Go Cats on the Water – Allen Elefterion)

While waiting for the petitioner, the Board discussed the problem and the following points were made:

- PARAB already spent 10 hours on this issue.
- PARAB made a recommendation and the BCC voted to increase permits from 180 to 200.
- 12 more are left, which will not cover the number of requests.
- The County does not plan to increase it further.
- They don't want to make an exception for the petitioner and set a precedent.
- The petitioner has one permit and six boats and was charged with trespassing.
- Some marinas have non-compete clauses so he's limited in where he can launch his boats.
- The concern is they're running eight commercial permits out of public property and tying up County docks.
- The County did its due diligence, holding long permit issue meetings into the evening.
- PARAB has a directive from the BCC to try to fix this under the guidelines; the petitioner already spoke to the BCC, which sent it back to PARAB.
- He can take one permit and put the boat on a trailer, then take four and drop them off.
- He can't use the dock as a station permanently.
- The permit can go on the trailer.
- Permit-holders can't tie boats to the docks and there's a 15-minute limit.
- Has he exhausted his search for a marina?
- He hasn't followed the guidelines and has been cited with trespass.

Mr. Fruth told the petitioner that they'd discussed the background and now wanted to hear his side.

Mr. Elefterion said there are two issues, park passes for boats and the trespassing charge. During his second day at the park, as he was getting used to it, he was charged with trespassing at the Goodland boat ramp. Senior Ranger Carol Butler came at him hard, saying he can't do this, he can't do that. He said OK, let me get this right. He set his boat up where his authorized boat was, the first boat that people would step on, and then lined up his other boats. (He passed around a photo.) He thought he could have people step on the authorized boat and then move people down to the other boats. The Ranger said there would be no way he would be doing that today. He asked what his choices were. She said a trespassing charge, or she could call code enforcement and they could fine him \$250. He said he didn't know what to do. She said if he didn't remove the boats, he'd face one of those options.

So, his guide took six boats away, six-wide from the docks, which was very dangerously, so they wouldn't get a trespassing charge. When she saw him in the water, she said she was giving him a trespassing charge. He asked why since they'd already complied and his boats were off the docks. He believed it had to do with his indifferent attitude. He provided a signed statement to Public Service Director Tanya Williams at a recent BCC meeting that detailed what occurred, saying he hasn't been berated like that since Marine Boot Camp. That's why he was indifferent. He never raised his voice or swore. He complied and she said he was getting a trespassing charge. Even the officer who wrote out the charge asked what it was all about. He told him basically nothing, possibly not complying or being

indifferent.

This has hurt his business. He's the supervisor. He can't supervise if he's not in the park. Since then, he's been taking a boat to the park. He needs to be there to bring customers in a van to take them to the park so a guide can take them out on an adventure. He believes the trespassing charge was written way too quickly for what he did, being indifferent. He did comply and apologized to her and the park staff the next day. He apologized for his actions. But even the next day, he went to gas a boat and she was screaming at him, saying she had him now. "You're going to jail." He was just standing there fueling one boat to another. She was taking photos and was on the phone with the Sheriff's Office, asking if she could have him arrested now. He wished the Board could meet Ranger Butler and hear her side.

Mr. DeMarco said it sounds like an unnecessary escalation. Is that the proper protocol to call police and threaten to send someone to jail?

Ms. Edwards said no, and that's not the story the Park Ranger gave. She said there was a public complaint first to Code Enforcement about operating on a public right-of-way. Then there was a second on April 25 involving Go Cats. On April 26, Melissa Hennig replied to the petition. On April 27, he was issued a trespass warning from the Collier County Sheriff's Office after operating several vessels without permits on April 25, 26 and 27, despite being asked several times to cease operations. Mr. Elefterion reasoned that if all his vessels were tied together at the dock to the boat with a permit, they could be considered one vessel. He told the Ranger she could do what he wanted and write citations all day, but he wasn't leaving. The Ranger gave him three options, using the one boat he had a permit for; turning it over to Code Enforcement, which could result in a fine and possible loss of his business license; and being trespassed from Goodland Boating Park.

Nine times out of 10, the CCSO will not trespass you if it's not warranted. If we call up and give a description, they will say whether that's a trespass. They asked Mr. Elefterion two more times to comply, but he pushed back more. They requested a trespass warning. At one point that day, they had to call EMS because he slipped and fell. It was a very heated exchange.

Mr. Elefterion said it was heated only on one side. He complied and still got a trespassing warning. He wanted to point out that the Code Enforcement issue involving the bridge had nothing to do with this.

Ms. Edwards said it did not, but there were multiple times, back-to-back. Staff tried to give you options. This is all in public records. She has emails.

Mr. Elefterion said there is something that's made up, if she's saying April 25 and 27 because April 26 was his first day at the park. We were told that day we could only use the authorized vessel. So, the next day, that's when he lined them up with the authorized vessel being the first vessel and she said, "No, not on my watch. You're not going to do that."

Mr. DeMarco asked about the photo on April 23. They said they got complaints.

Mr. Elefterion said that was not the park. That was the public right-of-way. He wanted to concentrate on the trespassing issue.

Mr. Allen said that compliance had already taken place.

Ms. Edwards said the County has to be strict on its rules. She doesn't know how the Ranger spoke to him. She apologized for her staff, but said they were dealing with a lot of boat issues. It's not up to Parks & Recreation to change it. As a director, she can't change a BCC directive. Her staff is under Board direction to enforce the rules.

Mr. Elefterion said he never raised his voice. He was indifferent because of the way she was talking to him. We complied but were still violated after the boats already were away from the dock. He has seen much worse and those didn't get a trespassing ticket. He tried to be as cool as he could. When he got into the ambulance, his blood pressure was 190/140. That was how upsetting this was to him. It was not a good day. We shut down and didn't do any business. We lost about \$4,000 of business that day and didn't participate the next day and started again the next day.

Mr. Fruth asked how he was operating now.

Mr. Elefterion said they use the authorized vessel to go to the park and pick up people. They take them out to moored vessels and transfer them. It's the only way we can do business. We've been operating at a marina for two years under the Goodland Bridge. It was bought by Mr. Walker and everyone had to vacate it in 30 days because he's building condos there. He was left homeless. The only way he could do business was on the side of the road. He was waiting for the BCC to let him work out of the park. There were about 45 days where they were not issuing passes, possibly 60 days.

Ms. Edwards said it was 35-45 days. They changed the number of passes from 180 to 200. New passes are restricted to one pass. Some businesses were grandfathered in. They were able to get multiple permits if they had them for years already. If you were new, you're limited to one.

Ms. Gibson-Laemel asked if he understood what one permit meant, that he couldn't line up boats?

Mr. Elefterion said he didn't. Being retired from the Marines, he's trained to find other ways to do things that would work. He tried that, but no one was buying it. He couldn't do business that way, so he did the next best thing, bringing two people out each time. He's been doing that since April 27.

Mr. Fruth asked who issued his mooring permit.

Mr. Elefterion said the FWC (Florida Fish & Wildlife Conservation Commission) issued it. The Park Ranger called the FWC to report that he was mooring his boat and asked if it was legal. She reported that they had three people on a two-man boat. She had a Park Ranger measure his boats and their buoyancy and FWC said three people could be on the boat and it was legal.

Mr. Fruth asked if he had that in writing.

Mr. Elefterion said he did not but had the name of the person he spoke to and his number.

Mr. Fruth said it sounds like he can operating and mooring that way. The Board spent a lot of time on this topic over the past six months and the BCC made a decision. It sounds like he can make this work. His concern is we would be setting a precedent if we changed our decision. They have to consider residents. The ramps are jammed. He feels for him and doesn't think he should have gotten a trespass charge. He also understands the CCSO doesn't issue trespass warnings without just cause. If he can continue operating and it's not a liability, then he's abiding by the County's single permit because he has only one boat tied to the dock.

Mr. Elefterion said they do issue trespassing charges if a Park Ranger tells them to. This is not any way to do business. It takes them 20 minutes to load. If he did it his way, it would take five to 10 minutes.

Mr. Fruth said multiply that by 180 permits. That's the problem we have.

Mr. Elefterion said he doesn't want to work out of the park. It's only out of necessity to keep his business afloat. He's on Rose Marina's waiting list and all the marina lists.

Ms. Gibson-Laemel asked if there were long lists at marinas.

Mr. Elefterion said some were long. He's next in line at Rose. Port of the Isles was writing a contract for

him, but a competitor threatened to sue if he came in at Port of the Isles because he had a competitive clause in his contract, so he was denied at Port of the Isles. He's close to getting a contract in downtown Naples, a marina there. They want us there. We've never worked out of a park. He doesn't want to do that. There are others with those boats who have worked out of parks for years and have no intention of going into a marina. They don't want to pay that kind of money. It's expensive, but it's the right way to do business. We don't want to load and do all the things he is doing now. If he has to do this until October or November, he's going to go out of business and will probably shut it down and go to Sarasota. It's not feasible to do two people at a time.

The competition is the one calling in the complaints. They badmouth him to his customers and make up lies, saying what he's doing is illegal and he's been warned. He has checked with his insurance company and has done everything by-the-book to comply. He may have to go somewhere else, not Collier County. He has to work out of a marina.

Mr. Fruth asked him what his official "ask" was, additional permits?

Mr. Elefterion said that was part of it, but he wanted to be allowed to work in the park and have additional boats. With the trespassing order, he can't get out of his van. He doesn't need to do much at the park and would respect the Rangers and the guidelines. He just wants to do business. The trespassing charge is causing him to lose business. He hopes he doesn't have to do it much longer. He'd love to line up his boats as they are in the photo. We only take up to 12 feet of space and then we work out. It's actually less than a 25- or 30-foot boat. He's taking up 12 feet and customers then walk out to the boat, he unties it and they go. They only do four boats at a time with a guide, five total.

If he had four more park vessels, he could line them up like that or do something else. At the BCC meeting, they asked how jet skis did it. They do multiple jet skis. They have six to eight jet skis on a trailer and only one permit for the trailer. They bring it up to the dock and launch from that space. His trailer only holds two. He could get a trailer.

He's trying to limit his footprint at the park. He leases space at Safe Harbor Marinas 300 yards away, but they won't allow him to launch commercially because they have a covenant in their bylaws. So, in the morning, he tows them and moors them 300 yards away. He's not using the boat ramp. He pays nearly \$2,000 a month to keep his boats there and moor them there. There is no footprint at the launch site. He tows them out and then brings the authorized boat to the ramp. He drives customers to the boat in Goodland. He takes the van back to the property. He's not using any parking or a boat ramp so his footprint is not very big at the boat ramp. His competition takes up more room and has three trailers. He takes two at a time and launches his boats. The competition takes up the entire dock. But he/himself is paying for marina space and tows boats there, so he's trying to reduce his footprint tremendously.

Mr. Fruth asked why there were six boats in the photo.

Mr. Elefterion said the sixth is a backup boat in case of a breakdown. It needs to be ready. He doesn't need it if he's allowed in the park. Now he doesn't have to do it because his boats are at Safe Harbor.

Mr. DeMarco said that given that he has reached out to the Park Ranger, he doesn't know if the Board can lift a trespassing charge. He has an idea of how he can practice his business until he gets a marina license. His insurer has approved his method. Can we issue more passes? He's not sure that's for the Board to decide. We submitted 17 items to the BCC and nine were accepted. As far as a trespassing charge, we can say he apologized to the park and Park Ranger. No one should be defined by one of the worst days of their lives. He's trying to make amends. If the Board has the ability to lift a trespassing

charge, we can certainly vote on that and Parks & Rec can decide. If he continues to operate with moorings, he can come back in six months to discuss further steps.

Mr. Elefterion said he had one more suggestion. If he's allowed to use his trailer as the authorized permit and launches his vessel 300 yards away at Safe Harbor's boat ramp, is that the same as launching at the park or do they have to see him launching at the park two at a time? He can launch 300 yards away and be less intrusive to residents.

Mr. DeMarco said he can pick up at the park and launch at Safe Harbor.

Mr. Fruth said it's still against what the BCC says because he's doing multiple launches.

Ms. Edwards asked if he's still launching at the park.

Mr. Elefterion said he isn't because he has marina space 300 yards away.

Mr. Fruth said it is a consideration that if you were going to stay after a year, there is a possibility that the number of boat permits would increase. The non-competes were something they did consider in all their decisions. Unfortunately, it is the reality.

Mr. Fruth asked if he lives in Collier County.

Mr. Elefterion said he does and also has a house and boat business on Amelia Island. His sister asked him to come to Collier County and open one up here with her.

Mr. DeMarco moved to ask that Ms. Edwards ask that the trespassing charge be dropped and he can return to PARAB in six months. Second by Mr. Fruth. The motion was carried unanimously, 5-0.

c. Upcoming Events

Ms. Edwards provided the Board with a list they requested that includes May, June and July events. The July 4th celebration will include fireworks, food, games, and will incorporate information about Collier County's 50th anniversary. She said they won't have a float at the parade, but will be walking with a car.

Ms. Hopkins said there will be representation from all parks.

d. Approved Alcohol Events

Mr. Rojas said he went back to 2016 on the list of events that included alcohol.

Ms. Edwards said event holders only need to apply once for the event, but if logistics change, they must apply again.

Mr. DeMarco asked if there was a set number of deputies assigned to each event.

Ms. Edwards said there's a matrix of calculations based on the number of attendees that deputies, Risk Management and others came up with. The special event protocol is thorough. It also calculates the number of Porta Potties that are needed and the number of deputies needed if alcohol is provided.

Strategic Plan

Ms. Edwards said she's working on a survey and workshop with higher ups, including PARAB. She wants to know what's important and to have a strategic planning workshop in phases at each level so when they go to execute it, they will have a strategic game plan. They can't fulfill all demands right now. What we're missing at the parks is input from the public. We've been reacting versus planning out and getting information from the public. We need to have realistic conversations about what we can achieve, what we can't, and have a strategy.

She's meeting with staff on May 26, with internal staff, such as Facilities and Risk Management, then PARAB, department heads and the BCC. She's trying to get a buy-in at each level so she can say this is a true strategic plan. The Master Plan should be finished soon and they need information going into it.

Ms. Gibson-Laemel asked if she was officially the director now. She asked what the process is.

Ms. Edwards said no, she's the interim director, but is doing what she can.

Mr. Fruth noted that everything hinges on hiring the County Manager.

Ms. Edwards said everything is on hold until July.

Mr. DeMarco said when they allow the public to speak about the parks, they do not get positive feedback. You know your organization isn't doing well when you have a lack of input.

Ms. Edwards said some complaints are legitimate. She takes complaints as an opportunity to grow and improve. She's getting input. We know our janitorial contract is not the best. She told the staff they need to own it. These are the park facilities. We can take control of it. That is a legitimate complaint and we can mitigate it. It's part of their job. She doesn't expect staff or the public to walk into a dirty bathroom. Let's control what we can control and deal with the rest later. Things not under their control will work themselves out later. She urged Board members to go to the parks and provide feedback.

Chairman Olesky said there's one thing he'd like to see her do once a month: Give a monthly report to the TDC to tell them what's happening, so when you ask for them for money, they already are involved and know what's happening.

Ms. Edwards agreed that was a good idea.

Ms. Baker said she presents at the TDC meetings and can show her what she does.

Ms. Edwards said she'd get together with her and thanked her.

VII. Old Business

a. Immokalee Master Plan

Ms. Hopkins said they decided to go back to get more community involvement. On June 16 and 29, they will have two focus groups for two hours to get a broad overview and will then split them up into smaller subject groups, such as aquatics, field needs and hiking. They want everyone to have a voice. They're also working on a survey they will send to multiple agencies. They're working with the Immokalee Chamber of Commerce and the CRA and providing information in Spanish and Creole so they get a good idea of what the community wants.

Ms. Gibson-Laemel asked if she's working alone.

Ms. Williams said she's working with the three Immokalee supervisors, as well as Ms. Edwards, Ms. Williams and Mr. Rojas. We'll have a specialist, such as health and wellness or aquatics. They will help guide them because we realized people don't know everything that the parks provide.

VIII. Director's Highlights [Olema Edwards, Acting Director]

Ms. Edwards reported that Sun-N-Fun Lagoon will be opening on May 28 and everything will be operational. There are new features in the kiddy and activity pools. It will be completely renovated by next summer. They will shut down one more time after this summer session. They need to finish Lazy River, resurface the Lazy River and do the stair towers up to the two slides, remove the water shed and add five shade structures.

She noted that there were two Cinco de Mayo celebrations this month, with many attending a huge celebration in Immokalee. Eagle Lakes had a pool event with about 200.

Ms. Hopkins said the rain hurt them. But about 700 attended in Immokalee.

Ms. Edwards asked if the Board takes time off during the summer.

Chairman Olesky said they take July off.

Mr. DeMarco said they took last December off because it was close to the holidays. Two or three people were traveling so they couldn't meet.

Ms. Edwards said the reason she's asking is that for the June 15 meeting, pickleball is coming back to ask for an increase in fees for the concessionaire. She said the last time this happened, it made the news.

Mr. DeMarco asked if they wanted to increase fees to the public. Is that a decision the Board makes, a membership increase?

Ms. Bergel asked what the membership covers. She said that's the problem they have at Veterans Park because no one is there, but they say they are there from 8-11 a.m. Monday through Friday. No one knows what they're paying for in their memberships.

Ms. Gibson-Laemel asked if Jim Ludwig was involved any more.

Mr. Fruth said he's retired and only involved with the U.S. Open Pickleball Championships in April.

Mr. DeMarco asked if they were going to bring a cost-benefit analysis for the pickleball increase item.

Mr. Fruth said if he's asking for a rate increase for himself, they want to know the return to Collier County.

Ms. Bergel said she wants to see the contract. They have taken over all the courts at Veterans Park, even though they're required to leave one open. A staff member physically attacked a tennis player over that. The tennis player informed her there was one court that must be open for tennis.

IX. 311

Ms. Edwards reported that there were five concerns and all were resolved, including beach parking, vandalism at the Golden Gate Golf Course, where people were riding loud minibikes on the course, and graffiti on the pavilion and restrooms, which is common. A woman reported that the water was broken, but it's on a timer and was off at the time. They asked CCSO to monitor the golf course. We took care of that. Someone also complained about a sharp, thorny plant at North Collier that was sticking out where people walked, so we uprooted it and moved it.

Ms. Gibson-Laemel asked what was happening with Golden Gate Golf Course.

Mr. Fruth said zoning was approved for BigShots Golf. They're working through remediation issues now because it was a golf course property. Stormwater and environmental permitting is going as fast as possible to get BigShots permitted. It's moving through the process very slowly, but things are happening.

Ms. Edwards asked the Board if there was anything they wanted to hear or see at monthly meetings that she wasn't providing.

Ms. Gibson-Laemel said they'd like to hear about new personnel once in a while because that changes. She has old charges from seven or eight years ago and the Board just got a new one recently. It's helpful to see the staff names at each park and their emails, a way to contact them. She asked to be provided with updates a few times a year when there are big changes.

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Chairman Olesky apologized for allowing the public to speak so long and argue about the cell towers at that meeting, but said he often finds that if people talk more and get it out of their systems, problems are resolved.

X. Adjournment

Future Meeting Dates

June 15, 2022, 2 p.m.

Aug. 17, 2022, 2 p.m.

Sept. 21, 2022, 2 p.m.

There being no further business for the good of the County, the meeting was adjourned by order of the Chair at 3:32 p.m.

Parks & Recreation Advisory Board

Edward "Ski" Olesky, Chairman

These minutes were approved by the Board on _____, (check one) as presented, _____ or as amended _____.