

MINUTES OF THE MEETING OF THE CONSERVATION COLLIER
LAND ACQUISITION ADVISORY COMMITTEE

Naples, Florida, May 14, 2007

LET IT BE REMEMBERD, that the Conservation Collier Land Acquisition Advisory Committee, in and for the County of Collier, having conducted business herein, met on this date at 9:00 AM in REGULAR SESSION at Administrative Building "F," 3rd Floor, Collier County Government Complex, Naples, Florida, with the following members present:

CHAIRMAN: Bill Poteet
Michael Delate
Marco Espinar
Wayne Jenkins
Kevin Kacer
Will Kriz (absent)
Tony Pires
Stan Weiner
Mimi Wolok

ALSO PRESENT: Jennifer Belpedio, Assistant County Attorney
Cindy Erb, Sr. Property Acquisition Specialist
Christal Segura, Conservation Collier Land Manager
Alexandra Sulecki, Conservation Collier Coordinator

I. Roll Call

The meeting was called to order at 9:00 AM by Chairman Bill Poteet. Roll call was taken, and a quorum was established. It was noted that Will Kriz was on vacation.

II. Approval of Agenda

Mr. Jenkins moved to approve the agenda. Second by Mr. Espinar. Motion carried unanimously, 8-0.

III. Approval of Minutes

Mr. Jenkins moved to approve the minutes of the April 9, 2007 meeting. Second by Mr. Pires.

Changes:

- Page 2, II, "Gone" is spelled "Gawn" with reference to Gawn Fishin'
- Page 3, "continued" is changed to "continue forward" and "tend to the offer" is changed to "tender the offer"
- Page 5, F, "... the land can be purchased since it is within the boundary of Everglades City ..." the issue was whether or not the City had a position regarding the sale.
- Page 5, New Business, Item C, "burrow" pit changed to "borrow" pit
- Page 3, "Kaylow" is changed to "Calo," "Conaly Trust" is changed to "Connolly," "Sheer" is changed to "Scherer," and "Wess" is changed to "West."

Carried unanimously, 8-0.

IV. Old Business

A. Real Estate Services:

Alexandra Sulecki provided the following update:

Fleischman North Property – Margaret Bishop provided a copy of the permit to her. The main pond has been permitted; the remainder of the project is under review by the South Florida Water Management District. She will obtain an appraisal of the wetland areas from Roosevelt Leonard. She will return to the Committee for recommendations to be brought to the Board.

Mr. Pires stated he thought Conservation Collier was mandated to buy additional lands, not just pay to preserve lands impacted by Collier County's capital projects.

Chairman Poteet asked Ms. Sulecki for her report concerning the Commission's actions regarding mitigation. Mr. Poteet stated Commissioner Coyle had suggested using Conservation Collier dollars to purchase lands for mitigation for transportation uses.

Ms. Sulecki stated staff was asked to explore using Conservation Collier acquisitions as mitigation for Collier County projects. The County Attorney requested research to determine whether or not a referendum would be required since the goals of Conservation Collier Ordinance was not being changed. The question being researched is whether or not to buy lands which would serve as the mitigation, or to use mitigation funds for restoration, which is allowed by the Ordinance.

Mr. Pires asked that Executive Summary be distributed to the Committee after it is placed on the Commissioner's agenda.

B. Contracts/Agreements:

Cindy Erb reported on the following Cycle 4 Properties:

- Hamilton did not accept the Board's offer.
- Karen was approved by the Board, but no closing date has been set.
- Starnes has accepted the offer; an agreement and lease is being prepared.
- A closing has been scheduled for June 11th for the Oetting property.
- RJS, LLC has not accepted the offer.
- Mr. West has not accepted the offer.
- Calo, Connelly Trust, Price, Rivers/Predmore, Scherer, and RR Land Trust have accepted offers.
- The total cost expended for all properties purchased by Conservation Collier is \$56,625,533.00.

Cindy Erb presented the following Executive Summaries:

- Price – 20 acres – offered \$135,000, plus appraisal/costs = \$141,200

Marco Espinar moved to approve the Executive Summary for this property; Carried 7-yes, 1-no; Michael Delate opposed

- Rivers/Predmore – 19.54 acres – offered \$133,500, plus appraisal/costs = \$139,500

A motion to approve the Executive Summary for this property was made and seconded; Carried 7-yes, 1-no; Michael Delate opposed

- Calo – 40 acres – offered \$270,000, plus appraisal/costs = \$276,700

Ms. Wolok moved to approve the Executive Summary for this property; Second by Wayne Jenkins; Carried 7-yes, 1-no; Michael Delate opposed

- Scherer – 80 acres – offered \$540,000, plus appraisal/costs = \$548,000

A motion to approve the Executive Summary for this property was made and seconded; Carried 7-yes, 1-no; Michael Delate opposed

- Connolly Trust – 70 acres – offered \$472,500, plus appraisal/costs = \$480,200

Mr. Jenkins moved to approve the Executive Summary for this property; Seconded and Carried 7-yes, 1-no; Michael Delate opposed

- RR Land Trust – 55.35 acres – offered \$10,650,000, plus appraisal/costs = \$10,687,000.00

Mr. Pires questioned the difference between the estimated value of the land and the actual purchase price.

Cindy Erb pointed out the appraisal by Mr. Leonard was a year old.

Ms. Sulecki stated the owner provided a survey of the property, a Phase I Environmental survey, and the State certified appraisers had access to additional

information that affected the price offered.

Mr. Kacer moved to approve the Executive Summary for this property, Second by Ms. Wolok, Carried 7-yes, 1-no, Mr. Pires opposed

C. Winchester Head Multi-Parcel Project:

Ms. Sulecki stated Collier Soil and Water Conservation District had removed its objections to buying the Winchester parcel. Certain conditions were imposed:

- appraisal are to utilize comparable sales from wetland parcel, not upland parcels;
- all parcels are to be appraised at the same time, and an offer should reflect the appraised price;
- a “significant number” of owners should accept before the County makes a commitment to purchase (there are 24 willing sellers)

Staff devised a risk reduction approach:

- inform appraisers about the issues and costs of developing wetlands;
- show appraisers where appropriate comparable sales are located;
- educating appraisers concerning adjustments for mitigation issues when evaluating wetland parcels, and
- determine a ceiling-per-acre value.

There was a discussion concerning the difference in valuation of wetland lots and whether having a per-acre ceiling was a viable approach. The concern was not to accelerate land prices due to purchases made by Conservation Collier.

Roosevelt Leonard stated there was a sale within the wetlands area in February, 2007 of 1.14 acres which sold for \$26,000. The April sale was for 2.73 acres at \$22,000 per acre.

Mr. Poteet moved to eliminate the provision to send a property to the “B” List if there is a 15% increase above market value; instead a report would be sent to the County Commissioners to update them concerning the change in the real estate market. Mr. Espinar objected to the arbitrary use of a 15% figure. The Motion failed, 3-yes, 5-no. Mr. Weiner, Mr. Jenkins, Ms. Wolok, Mr. Pires and Mr. Espinar were opposed.

Ms. Wolok moved to eliminate the automatic dropping a property to the “B” List if there is a 15% increase above market value; a report would be sent to the Board of County Commissioners when the increase is 20%. Second by Mr. Jenkins. The Motion carried, 5-yes, 3-no. Mr. Espinar, Mr. Weiner and Mr. Pires were opposed.

Ms. Sulecki stated the final point was to develop the offers for a period of six months and to not require individual appraisals if an application was received during that time.

Ms. Sulecki met with members of the Collier Soil and Water Conservation District and South Florida Water Management District. She stated there is some disagreement concerning how the Ordinance allows conservation lands to be used, but there is cooperation among the agencies.

V. New Business

A. Presentation by Sue Chapin:

Sue Chapin, Mancan Customer Services Representative, presented Roberts Rules of Order to the Committee. She stated that Mancan follows the Collier County format provided by Minutes and Records. The Minutes contain a record of what was done, not what was said. Mancan is under contract with Collier County to provide abbreviated Minutes of a Committee's meeting. She stated that a Committee Member may call attention to a particular comment by prefacing, "*for the record*," to alert a transcriber to the importance of the statement.

D. Zoo Lands/Water Quality Park Project/Gordon River Greenway Project:

Christal Segura stated an application was submitted to FCT on behalf of the Collier Development Corp. property for one million dollars for post-acquisition funding. The decision will be made in September.

Amanda Townsend, Public Services Division, stated the Water Quality Park project is being developed by the Stormwater Department; Parks and Recreation will manage the property when development has been completed. Proposals have been received for the design of the Gordon River Greenway Park. A design firm will be chosen within the next few months. Florida Community Trust Grants have been awarded to both projects, and FCT will reimburse the County for acquisition of the parcels in the amount of \$9.9 million.

Alexandra Sulecki stated the City of Naples requested the County to pay one-half of the cost to build a pedestrian/bicycle bridge that would span the Gordon River. The estimated cost of the bridge is one million dollars. She will update the Committee in the future as to whether or not Conservation Collier may contribute to the funding.

B. Draft of Ordinance Changes – Ordinance 2002-63:

Ms. Sulecki stated the goal was to streamline the process and clean up the language without making any fundamental changes to the Ordinance which would require a referendum.

On page 12, Item 3, "initial list" was changed to "updated list" and "first Target Protection Areas" was changed to "updated Target Protection Areas."

On page 20, Item 7, "are restored" is changed to "can be restored."

Mr. Pires moved to recommend to the Board of County Commissioners to adopt the changes and amendments to Ordinance 2002-63 as presented. Second by Mr. Delate. Carried unanimously, 8-0.

C. Draft of Resolution Changes to Purchase Policy Resolution (2003-195):

Mr. Poteet suggested changing the first sentence in (A)2. It will now read “Real Estate Services staff will proceed with ordering appraisal(s) on the extinguishing of TDR credits.”

Mr. Pires moved to recommend to the Board of County Commissioners to adopt the changes and amendments to Purchase Policy Resolution 2002-195 as presented. Second by Mr. Delate. Carried unanimously, 8-0.

E. Preserve Security Issues:

Christal Segura presented a paper which summarized policy options for security and liability issues on sites not open to the general public.

Mr. Poteet objected to Item 6 (page 2) and Item 1 (under Lands Evaluation, page 3).

Mr. Pires suggested ending the sentence in Item 6, page 2, after “Unit.”

(Mr. Jenkins left at 11:51AM)

F. Cycle 5 Application Status:

Christal Segura stated 17 properties have been offered. Seven properties have been considered, with four more as “possible.” Target letters will be sent out to 45 additional property owners. Approval will be requested from the BCC to again purchase parcels in Winchester Head.

G. Gore Parcels:

Alexandra Sulecki stated three more parcels were added to the Gore parcels.

Mr. Pires moved to proceed with approval of the addition of the parcels. Second by Mr. Delate. Carried unanimously, 7-0.

H. Outstanding Advisory Committee Member Program: (Nothing to discuss)

I. Coordinator Communications:

Alexandra Sulecki stated a Public Meeting was held for the Railhead Scrub Plan; 7 people attended (from the Railhead area and Mediterra). There was a request to add a bike rack to the parking lot.

A Public Meeting for the Choctawhatchee Creek Preserve will be held on May 23rd; 200 letters were sent out to surrounding property owners.

VI. Subcommittee Meeting Reports:

A. Outreach – Tony Pires, Chair

Another subcommittee meeting is being scheduled.

B. Lands Evaluation and Management – Kevin Kacer, Chair

The Subcommittee met on April 26th and initially reviewed several Management Plans, including the Malt property, and final review of the Security white paper. The next meeting is May 17th at Facilities Management.

C. Ordinance Policy and Procedures

Alexandra Sulecki stated a joint Lands Evaluation/Ordinance Policy meeting is scheduled for May 17th to discuss TDR conveyances; it will be followed by a Ordinance Policy and Procedures Subcommittee meeting.

VII. Chair Committee Member Comments

(None)

VIII. Public General Comments

(None)

IX. Staff Comments

(None)

There being no further business for the good of the County, the meeting was adjourned by order of the Chair at 12:00 Noon.

**CONSERVATION COLLIER LAND ACQUISITION
ADVISORY COMMITTEE**

Bill Poteet, Chairman

These Minutes were approved by the Committee Chair on June 11, 2007,
as presented _____, or as amended X.