

June 8, 2009

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

Naples, Florida, June 8, 2009

LET IT BE REMEMBERED, 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 A.M. in REGULAR
SESSION at Administrative Building "F", 3rd Floor, Collier County
Government Complex Naples, Florida with the following members present:

CHAIRMAN: Bill Poteet
VICE CHAIRMAN: Michael Delate
Tony Pires
Jeffrey Curl
Mimi Wolok
Jeremy Sterk
Thomas Sobczak
Bob Dorta
Annisa Karim

ALSO PRESENT: Alexandra Sulecki, Conservation Collier Coordinator
Jennifer White, Assistant County Attorney
Cindy Erb, Real Property Management
Melissa Hennig, Principal Environmental Specialist
Christal Segura, Conservation Collier Land Manager
Roosevelt Leonard, Collier County Appraiser
Laura Davisson, Budget Analyst

I. Roll Call

Chairman Poteet called the meeting to order at 9:00AM. Roll call was taken and a quorum was established.

Bob Dorta and Annisa Karim were welcomed as new members of the Committee.

II. Approval of Agenda

Mr. Delate moved to approve the agenda. Second by Mr. Pires. Carried unanimously 9-0.

III. Approval of April 13, 2009 Minutes

Mr. Delate move to approve the minutes subject to the following corrections:

- Page 7, paragraph 11, line 2 from "implementation of a Gopher Relocation Program..." to "implementation of a Gopher *Tortoise* Relocation Program..."
- Page 3, paragraph 8, from "Second by Ms. Wolok. Carried unanimously 8-0" to "Second by Ms. Wolok. *Motion carried 7 "yes" – 1 "no."* **Chairman Poteet voted "no."**

IV. County Attorney – Ethics Presentation, Colleen Greene

Colleen Greene, Assistant County Attorney presented a Slideshow on the Ethics Regulations that Elected Officials, County Advisory Boards members and Staff are subject to:

- *Chapter 112, Florida Statutes Annotated, Part III – For Advisory Board Members, Elected Officials and County Employees*
- *Collier County Ordinance 2003-53 (as amended -) For Elected Officials, Advisory Board Members and Staff.*
- *CMA #5311 - For County Employees*

It was noted the Collier County Ordinance models the State Statute, but is more stringent.

She advised Staff and Committee members contact the County Attorney's Office if any they have any questions or future ethics issues arise in conducting their duties.

V. Old Business:

A. Real Property Management Update - A - list properties

Cindy Erb, Real Property Management provided the following updates:

Winchester Head – 1 closing today; closings continue - date, 40 parcels acquired totaling 56.90 acres

Unit 53 – closing continue – to date, 59 parcels acquired totaling 170.82 acres; new appraisals to be ordered in August.

Camp Keais - closing final parcel today; - to date, 5 parcels acquired totaling 27.5 acres

Mcllvane Marsh – RJS, LLC. (now Triangle Licensing Corp) – 29.33 acre parcel agreement for purchase presented for Conservation Collier approval today.

B. Contracts

Cindy Erb presented the Executive Summary “*Approve an Agreement for Sale and Purchase for 29.33 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$295,000 (Triangle Licensing Corporation)*” dated June 8, 2009 and attached Agreement for Sale and Purchase.

Ms. Wolok moved to accept the RJS contract. Second by Mr. Sterk. Motion carried 8 “yes” – 1 “no.” Mr. Delate voted “no.”

It was noted the appraisal was conducted in April of 2009.

C. Benfield Rd and Caloosa Reserve conveyance proposals update

Alex Sulecki reported there has been no contact from the Benfield Road property owners. The owners of the Caloosa Reserve parcels remain interested.

D. Budget Update

Alex Sulecki reported due to the current economic times, Upper Management has indicated budget projections continue to change on a short term basis.

Melissa Henning, Principal Environmental Specialist presented the documents “*Conservations Collier – Land Acquisition Fund (172) – Ad Valorem Revenue Collections FY 2004 – FY 2009*” and “*Conservation Collier Land Acquisition Fund (172) – Projected Ad Valorem FY 2010 – 2013*” for review. Also provided was the document “*Conservation Collier Land Maintenance Fund (174) One-Time Public Amenity Project Costs and Estimates*”

She noted:

- 15% of Ad Valorem revenues dedicated to the Program are for “Maintenance.”
- If the revenue generated is not enough for Management when the Program sunsets in 2013, revenue remaining in the Land Acquisition Fund may be transferred to the Maintenance Fund.
- Projections indicate \$5.9M will be available for acquisition next year (Cycle 7) of which \$700,000 is targeted for Administration costs and \$3.5M allocated to Cycle 6 acquisitions.
- The documents provided an estimate of funds available for FY 2011, 2012 and 2013 as well.
- To ensure projected revenue meets projected expenses, a Conservation Collier Subcommittee has recommended a budget workshop be held during the next regular meeting in July.

Laura Davidson, Budget Analyst noted the projections for revenue were based on a 10% reduction of Ad Valorem Revenue for 2011; 5% for 2012 and 0% for 2013. The estimates will continue to be refined.

The Committee determined to hold a Budget Workshop at the July Regular meeting and recommended in addition to other documentation, the following information be provided:

- The Amortization schedule on debt service.

June 8, 2009

- Basis for net incomes forecasts.
- Projections on re-occurring Management Costs.

Alex Sulecki requested members contact her for any other information they may require for the Workshop.

E. Funding for City of Naples Greenway bridge

Alex Sulecki, Conservation Collier Coordinator, provided a Memorandum "*To Conservation Collier Land Acquisition Committee from Alexandra Sulecki, Conservation Collier Program Coordinator dated June 8, 2009 – Subject: Update CCLAAC on issue of funding for the City of Naples Greenway Bridge*" highlighting the following:

- Staff received a memorandum from the Parks and Recreation Department indicating they are planning on advancing the funds, which would be reimbursed by Conservation Collier.
- Staff has determined there is no provision in the Conservation Collier Ordinance for transfer of funds to outside Agencies for these purposes.
- Staff has determined a possible mechanism for transfer of the funds is through a "Unified Management Plan" between Agencies.
- At this point, Staff is recommending deferring transferring of the funds (until the necessary mechanisms are in place) to Parks and Recreation.

Melissa Hennig provided an overview of the project noting the following:

- The project is the Gordon River Greenway Project.
- Conservation Collier as well as Parks and Recreation control adjacent lands within the proposed project.
- Parks and Recreation and Conservation Collier Staff are attempting to coordinate permit applications and the construction of improvements to reduce associated costs.
- An interdepartmental agreement would assist in coordinating future maintenance of the interconnected trail system.
- There are two bridges proposed for the project, one in the City of Naples and one connecting Conservation Collier Lands.
- Conservation Collier will fund the construction of the bridge on their property.
- The proposal in question is for a contribution by Collier County for the construction of the bridge connecting City of Naples lands.

The original contribution request from the City of Naples was \$500,000. The request has been increased to \$1M.

Discussion occurred on the appropriateness of funding the contribution with no "Unified Management Plan" approved, the timing of Parks and Recreation advancing the funds, etc.

Alex Sulecki noted the item is on today's agenda for information purposes and intended to be an "update."

It was determined upon receipt of more information, the item should be placed on a future agenda.

VI. New Business

A. ICSRs - BCI

Alex Sulecki provided a Slideshow on the Initial Criteria Screening Report (ICSR) for the Barron Collier Investments, Ltd. Parcels highlighting the following:

- Two parcels are associated with the nomination, Area I – 235 acres and Area II – 799.4 acres.
- The parcels are located in Immokalee adjacent to the south side of Pepper Ranch and abut Lake Trafford.
- Staff is pursuing partners for the acquisition (Florida Forever, South Florida Water Management District, Florida Community Trust, etc.)
- The Property Appraiser estimates the value of the land at approximately \$5000/acre (approximately \$5M total)
- The property is currently vacant land utilized for agricultural use and is subject to oil, gas and mineral rights.
- Should the property be acquired, the access easement provided by the landowner to Barron Collier Investments (BCI) during the Pepper Ranch acquisition would no longer be applicable except for uses associated with oil, gas and mineral rights.
- The oil, gas and mineral rights are not controlled by the existing BCI.
- The oil, gas and mineral rights initiate 120 feet below the surface and would not include sand or limestone removal activities.
- The parcels are in the Rural Lands Stewardship Area and with approximately 1700 Panther Habitat Units available in Area I.
- She provided a detailed overview of the analysis of the environmental parameters leading to the ICSR rating of 226 of 400 for Area I and 221 of 400 for Area II.

Speakers

Blake Gable, Barron Collier Investments, LTD. (BCI) addressed the Committee noting the County recommended the parcels be nominated for acquisition during the Pepper Ranch negotiations. BCI is amenable to negotiating the price and terms of the purchase based on the current economic climate. They would be amenable to relinquish the rights to cattle farming, however he could not speak on behalf of Collier Resources, the entity controlling the oil, gas and mineral rights.

Roosevelt Leonard, Collier County Appraiser addressed the Committee providing an overview of the parameters of the initial appraisal noting the property has been valued as "1 parcel" on an average per acre basis by

considering access, conservation land, agricultural land and lands under water (in Lake Trafford), etc. He estimates the average per acre value is \$5000. The price of Pepper Ranch lands acquired in January 2009 was approximately \$13,000 acre and the values of declined since that time.

During Committee discussions, the following was noted:

- On the bottom of page 3 indicates Area II is a source of Panther Habitat Units and should be corrected.
- The issue of the access easement being eliminated with the purchase of these parcels should be identified in future reports.
- It is a priority to acquire lands that are adjacent to existing properties in the Program.
- The landowner should be aware of the timing of the potential transaction with the property being placed in Cycle 7 (decision due for December 2010 on Cycle 7 properties), unless the Program (Board of County Commissioners) adds the property to its "Active Acquisition List."

B. Annual Report

Alex Sulecki presented the "Conservation Collier Annual Report May 2009" for approval by the Committee for submittal to the BCC.

She noted the since submittal of the Report to the Committee, it has been updated in the area of financial projections, maps, management Report and the I-75 properties Section.

The Committee recommended:

- The RJS, LLC. parcel owner be revised to "Triangle Licensing Corporation."
- The Camp Keais Strand Map on Page 10 does not appear in the PDF version of the Report.
- If possible, enlarging of the maps.
- A list of Cycle 7 that have been nominated and reviewed should be provided to the BCC.

Mr. Pires moved to send the Report to the BCC based on the recommendations provided by the Committee. Second by Mr. Sobczak. Carried unanimously 9-0.

F. Brochu Property Final Management Plan

Christal Segura, Conservation Collier Land Manager presented the "Brochu Preserve Land Management Plan – Final Draft – June 2009 – June 2019 (10 Year Plan") for review. She noted if the Preserve is formally named, it will be incorporated into the Plan.

Chairman Poteet left the meeting at 10:53 AM.

Ms. Wolok moved to forward the Plan to the Board of County Commissioners for approval. Second by Mr. Pires.

Chairman Poteet returned at 10:54 AM.

The Committee noted:

- Staff will clarify the discrepancy of projected \$10,000 vs. \$30,000 identified for trail expenses for the Budget Workshop next meeting.
- The captions for the soils maps should appear below the maps.
- On Page 14, the map follows the references in the text.
- On Page 25, paragraph 1, line 7 revised from "*As of 1993, that the western portion...*" to "*As of 1993, the western portion...*"
- Page 33, paragraph 7, line 9 revised from "*Wildlife sampling, like plant...*" to "*Wildlife survey, like plant...*"

Motion carried unanimously 9-0.

G. Preserve Names

Alex Sulecki provided the Executive Summary "*Naming Acquired Preserves*" dated June 8, 2009 for review.

It was noted County Policy prohibits the use of certain words to eliminate confusion for Emergency Services (ie Gulf, Rookery Bay, Shell, etc.)

Discussion ensued if the Policy should apply to the naming of a Preserve and could the names be sent to the County Manager's Office for consideration.

Mr. Curl moved to send the proposed names forward to the County Managers Office for approval. Second by Mr. Delate.

Discussion occurred regarding the Policy noting the Board of County Commissioners has the authority for a final determination on names.

Mr. Curl amended the motion to review the list of names and if a name chosen is contrary to the County Naming Policy it will be sent to the BCC for their approval. Second by Mr. Delate. Carried unanimously 9-0.

Ms. Wolok moved to name Milano "Alligator Flag Preserve." Second by Mr. Dorta. Carried unanimously 9-0.

Mr. Wolok moved to name Oetting/Freitas "Panther Walk Preserve." Second by Mr. Pires. Carried unanimously 9-0.

Ms. Wolok moved to name Rivers Road "Rivers Road Preserve." Second by Mr. Dorta. Carried unanimously 9-0.

Mr. Pires moved to name Malt "Shell Island Preserve." Second by Ms. Wolok. Motion carried 9-0.

June 8, 2009

Mr. Pires moved to name Starnes "County Line Preserve." Second by Ms. Karim. Motion failed 5 "no" – 4 "yes." Ms. Wolok, Chairman Poteet, Mr. Curl, Mr. Sobczak and Mr. Dorta voted "no."

Mr. Dorta moved to name Starnes "Caracara Prairie Preserve." Second by Ms. Wolok. Motion carried 7 "yes" – 2 "no." Mr. Sterk and Ms. Karim voted "no."

Mr. Delate moved to name Brochu "Limpkin Marsh Preserve." Second by Ms. Wolok. Carried unanimously 9-0.

H. Revised Advisory Committee Ordinance

Alex Sulecki presented the Memorandum to "Conservation Collier Land Acquisition Advisory Committee from Alexandra Sulecki, Conservation Collier Program Coordinator dated June 8, 2009, Subject – Transmittal of Ordinance No. 2009-16."

She noted the Ordinance governing Advisory Committees has been revised including the removal of: "term limits" and the restriction of an individual serving on more than two Committees, etc.

I. Application changes and letter to adjoining property owners

Alex Sulecki provided the Executive Summary "Program application revisions and letter to adjoining property owners" dated June 8, 2009.

Mr. Pires left the meeting at 11:14AM

Ms. Wolok moved to approve the revised application. Second by Mr. Delate.

The Committee recommended a map of the property nominated for acquisition be included with the letter to the adjacent landowner.

Motion carried unanimously 8-0.

Mr. Pires returned at 11:18AM

J. Outstanding Advisory Committee Member Program – Mimi Wolok

Mr. Delate moved to recommend to the Board of County Commissioner the nomination of Mimi Wolok as an Outstanding Advisory Committee Second by Mr. Curl. Carried unanimously 9-0.

K. Coordinator Communications

1. Pepper Ranch Sneak Peek Hike Report

Alex Sulecki provided a slideshow on the Pepper Ranch Sneak Peek Hike held on May 9, 2009.

2. Logan Woods Preserve open

Alex Sulecki noted Logan Woods Preserve is now open.

The Committee recommended a public "Opening Event" be held in the fall at the Preserve.

Alex Sulecki noted this was the first meeting the Agenda packet for the Committee members was distributed via email and posted online. Staff will continue to post all Agenda backup documents on line, so Committee members may retrieve any information desired. If a Committee member requests a paper copy, it will be provided. Committee members were in favor of the new format.

VII. Sub-Committee Meeting Reports

A. Outreach – Tony Pires, Chair

None

B. Lands Evaluation and Management – Mike Delate, Vice Chair

There was a meeting on April 24, 2009 where the Brochu Final Management Plan was approved. In addition, provisions for public access to Conservation Collier Properties was discussed.

On June 10, 2009 there will be a meeting where the Pepper Ranch Management Plan will be discussed.

Following the Report, Committee discussion occurred on the feasibility of reviewing the criteria for the Initial Criteria Screening Report.

C. Ordinance Policy and Procedures – Mimi Wolok, Chair

There was a meeting held in April where the revised application for properties nominated to the Program was reviewed.

The Subcommittee voted to require a 3rd appraisal on properties where the average of the 2 required appraisals are greater than \$10M. This action will be brought forward to the main Committee for consideration.

At a May meeting, language for a proposed Land Development Code amendments for "off site preserves" and "budget options" were discussed.

D. New Member opportunity to join subcommittees

Mr. Dorta volunteered to serve on the Lands Evaluation and Management Subcommittee.

Ms. Karim volunteered to serve on the Lands Evaluation and Management and Ordinance Policy and Procedures Subcommittees.

VIII. Chair Committee Member Comments

Chairman Poteet reminded members there will be a Budget Workshop at the next Regular Committee Meeting.

IX. Public General Comments

None

June 8, 2009

X. Staff Comments

Melissa Hennig noted there will be an item on the June 23, 2009 Board of County Commissioner Agenda for a proposed Gopher Tortoise Preserve on the Starnes parcel.

Staff will notice the meeting for Conservation Collier Committee member's attendance in accordance with the Sunshine Law Requirements.

There being no further business for the good of the County, the meeting was adjourned by order of the chair at 11:49A.M.

**Conservation Collier Land Acquisition Advisory
Committee**



Bill Potect, Chairman

These minutes approved by the Board/Committee on July 13, 2009
as presented _____ or as amended Ⓟ