

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

Naples, Florida, May 8, 2006

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 AM in REGULAR
SESSION at Administrative Building F, 3rd Floor Collier County
Government Center, Naples, Florida, with the following members present:

Chairman: Bill Poteet
Michael Delate
Marco Espinar - Excused
Wayne Jenkins
Kevin Kacer
Will Kriz
Tony Pires
Stan Weiner
Mimi Wolok - Excused

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

I. Roll Call

The meeting was called to order by Chairman Bill Poteet at 9:01 AM. Roll call was taken and a quorum established.

II. Approval of Agenda

Mr. Jenkins moved to approve the agenda. Second by Mr. Weiner. Motion carries unanimously 7-0.

III. Approval of April 10, 2006 Minutes

Mr. Kriz moved to approve the minutes for April 10, 2006. Second by Mr. Pires.

Mr. Pires would like additional language on page #3 of “with the proviso” under the motion made by Mr. Delate. He then gave kudos to the minute taker.

Ms. Sulecki would like the following changes:

Page #5- addition of the word “to” between “\$138,000,000” and “disappear” under Allen Keller’s comment.

Page #6- “offered by the owners” would be more descriptive than the word “achieved” under item “E. Cycle 4 application status”.

Page #6- add [have staff] between the words “and” and “report back” under Mr. Poteet’s motion.

Page #8- Ms. Sulecki had commented “no cattycorner parcels” after Ms. Wolok’s revised motion.

Page #8- under item #4) Ms. Sulecki remembered Mr. Poteet requesting that staff continue to research the situation with the Cocohatchee PUD.

Page #9- add the language “Ms. Sulecki noted that the parcel on the Southeast corner was offered and selected in a previous cycle and she was requested to contact the property owner again.” before Mr. Pires motion under item #7).

Motion carries unanimously 7-0.

IV. Guest Speaker – SFWMD

Ms. Sulecki introduced Mr. Dunnuck.

John Dunnuck, Director of the Department of Land Management Operations for the South Florida Water Management District gave a presentation including the following points:

- They have purchased over \$1.2 billion worth of land in the past five years.

- Efforts of land acquisition are being concentrated within Miami and Dade Counties and North of the Lake Okeechobee area.
- There is a goal to restore Lake Okeechobee.
- He demonstrated lands being concentrated on with an overhead presentation.
- Lands can be exchanged.
- Showed pictures of a boardwalk on the overhead.
- It would assist Water Management for Conservation Collier to have interest in additional lands in the areas that are adjacent to lands already owned by South Florida Water Management District.
- Picayune Strand area is also of interest. He feels development will start to look in that area.

Questions were addressed including the following points:

- There is interest for acquisition within the Lake Trafford area, but the larger focus is on contiguous properties.
- Acquisition areas are planned 10-15 years out.

Mr. Weiner suggested having the Conservancy, Soil and Water [Conservation District], Corkscrew [Swamp Sanctuary], and South Florida Water Management District meet together.

V. Old Business

A. Real Estate Services Update on Status of A-list Properties

Ms. Erb gave an update on the following properties:

Golden Gate Unit 53-

Red Maple Swamp - was approved by the Board, closing should occur in June or July once probate proceedings have completed.

Ballweg- was approved by the Board on April 25th; closing is set for June 9th.

Briceno- was approved by the Board on April 25th; closing is set for June 9th.

Ramirez- offer has been accepted; the agreement should come before the Committee at the next meeting.

McBean- offer has been accepted, it will be presented later in the agenda.

There is a possible closing date of June. It will be presented to the Board on May 23rd.

Petisco- offer has been accepted, it will be presented later in the agenda.

There is a possible closing date of June. It will be presented to the Board on May 23rd.

North Fleischmann Parcel - still waiting on a determination of what land will be available.

Cycle Three-

Milano- offer has been accepted, it should be presented to the Committee at the next meeting.

Schutt- offer was made on April 10th. The property owner was out of the Country, she will likely make a decision by the end of the week.

Brochu- offer has been accepted, it should be presented to the Committee at the next meeting.

Mr. Pires addressed an advertisement for a meeting that he had seen on the North Fleishman property asking for public input. **Ms. Sulecki** replied that the delay of land determination comes from the South Florida Water Management District permit; what it is going to require. He then volunteered to attend the meeting.

Ms. Sulecki has checked with the Utility Department finding that they feel the well site on the Brochu property is needed. She then demonstrated a map on the overhead showing where well sites would be needed for the new Northeast Regional Water Plant. There are 55 well sites needed.

Alicia Abbott, Project Manager for the Northeast Regional Water Treatment Plant Well Field Project introduced herself. Her charge is to locate well sites and provide a raw supply for the future water treatment plant in the Northeast area. She demonstrated the area on the overhead map. Test wells will be drilled first. The more brackish the water the more salt it has and the more expensive it is to treat, so ideally fresh water is needed; so they try to do a blend of each. A test well would go on the Brochue well site. Conservation Collier properties are looked into for well sites. She demonstrated a layout of a well site on the overhead. As far as she knows there are no draw downs of water that would negatively affect habitat close by.

Don added that Water Management looks at how the well will affect the area and the surficial aquifer before a water use permit is issued.

Mr. Pires suggested they look at properties examined but not purchased by Conservation Collier just across the street to the South along with an old convenience store site on the West side of Immokalee Road that has already been impacted. He feels they have not explored all possibilities.

In order for the Utilities Department to work with Conservation Collier on the purchase of the land it must be done at closing. The land will have to be cleared and relandscaped when the project is finished.

Mr. Delate commented that he feels Conservation Collier goes through a great deal of effort to find lands for conservation. A nice piece was finally found in the Immokalee area [Brochu property]; it seems that other efforts

need to be expanded on lands that have already been cleared and are more accessible to Immokalee Road. It is understood that the well sites are needed.

Public Speakers-

Brad Cornell, Collier County Audubon, Audubon of Florida agrees with Mr. Delate, Mr. Pires, and Mr. Jenkins that the program has a set of goals and objectives, utility speculation is not part of that. The program was never intended to be a well site location and acquisition program for the County. As a member of the public and representing Audubon he objects to the Utilities Department piggybacking on all the good work Conservation Collier has done; they need to do their own planning and scoping. They have the ability to declare condemnation on land, while Conservation Collier cannot.

Ms. Abbott replied that they are only looking for well sites that are 100x100 or 150x100 and a small easement; some property owners want to sell the entire property only. The last thing they want to do is condemn. They first look at willing sellers, but they also have Conservation Collier. The property can be landscaped so that it does not negatively impact the site; therefore it seems like a reasonable way to get well sites throughout the Community.

It was noted that Water Management District can purchase entire properties and resell the remainder of the property after placing a well.

Ms. Sulecki added that Conservation Collier has been given direction by the County Managers Office to partner with other Departments in the County that might need lands in the future, therefore folio numbers are provided. If sites are not acquired simultaneously with Conservation Collier then it becomes difficult for another department to buy the land.

Mr. Kriz does not see it as a partnership at all. Conservation Collier is not in the business of acquiring property for other departments.

Mr. Poteet disagrees with the Committee because it is a small County and well sites are going to be one of the major issues in the future. He feels that instead of fighting the issue they should have the minimum of the property they are asking for.

Mr. Jenkins agrees with Mr. Poteet, adding that the problem is that it is an undeveloped site and there have been other old farm lands, already cleared lands that have been offered that can be used for the well sites. There are other available properties around that have already been disturbed that they can choose from.

Mr. Pires moved for further clarification on the recommendation by the Advisory Committee to the County Commission that no portion of the

Brochu property if acquired be utilized for well site utility purposes. Second by Mr. Delate. Motion carries 5-2 with Mr. Poteet and Mr. Weiner opposed.

B. Contracts/Agreements

1. McBean (NGGE Unit 53 – 5 acres_ (tentative)

Ms. Segura addressed the McBean property after the Petisco property.

2. Petisco (NGGE Unit 53 – 2.73 acres)

Ms. Segura reviewed Executive Summary “Approve an Agreement for Sale and Purchase for 2.73 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$101,250 (Petisco).”(See attachment)

Mr. Pires left the meeting at 10:12 AM.

Mr. Delate moved to approve the “Agreement for Sale and Purchase for 2.73 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$101,250 (Petisco).” Second by Mr. Jenkins. Motion carries unanimously 6-0.

3. McBean (NGGE Unit 53 – 5 acres_ (tentative)

Ms. Segura reviewed Executive Summary “Approve an Agreement for Sale and Purchase for 5.00 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$181,650 (McBean).” (See attachment)

Mr. Jenkins moved to approve the “Agreement for Sale and Purchase for 5.00 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$181,650 (McBean).” Second by Mr. Delate. Motion carries unanimously 6-0.

Ms. Segura then demonstrated the location of acquired property on an overhead map.

Ms. Erb added that since November the County is the only buyer in this area.

Mr. Pires rejoined the meeting at 10:17 AM.

C. Ordinance and Policy Changes

1. 2003-63

Ms. Sulecki reviewed changes to the document “Draft, Ordinance No. 2006-__” (see attachment).

Speakers-

Brad Cornell, Collier County Audubon, Audubon of Florida congratulated Mr. Kriz and the subcommittee on the document. He wanted to raise the point that it is not a wise policy to change and delete under the target protection areas, the sending lands. Removing acquisition rights penalizes the property owners that do not want their land to be developed. The message being sent is that the sending lands are not important for land acquisition for Conservation Collier. The sending lands were identified as lands important for conservation reasons.

Ms. Sulecki replied that it is not removing the lands from the program; it is only removing it from the target protection areas where mailings would be sent. Owners can still nominate their properties.

Mr. Pires suggested removing the word “first’ from the sentence “In accordance with the goals, policies and procedures of this Conservation Collier Implementation Ordinance, the following list the first Target Protection Areas...” on page #11.

Mr. Pires suggested the language change to “a majority of” instead of the current “unless at least five [5] members” under page #14 section #2.

Mr. Kriz moved forward the proposed amendment to the ordinance to the Board of County Commission subject to the following changes: removing the word “first’ from the sentence “In accordance with the goals, policies and procedures of this Conservation Collier Implementation Ordinance, the following list the first Target Protection Areas...” on page #11, and change the language to “a majority of” instead of the current “unless at least five [5] members” under page #14 section #2. Second by Mr. Pires.

Mr. Pettit believes it is fine to say a majority instead of using the number five [5].

Motion carries unanimously 7-0.

2. Purchase Policy

Ms. Sulecki reviewed the document “Resolution No. 2006-__” (see attachment).

Mr. Pires suggested the language “a. Separate all maximum attainable TDR credits from the property, b. Separate one/half of the maximum attainable or allowable TDR credits and discount the remaining based upon the cost necessary to be incurred to remove all the exotics” on page #2.

Ms. Sulecki replied that it is not in the policy to discount a property on the cost of removing exotics.

Brad Cornell, Collier County Audubon, Audubon of Florida recommends the deletion of discounting a property value based on the cost to remove the exotics. This would be a disincentive.

Mr. Delate moved to pass the document on to the Board of County Commission as written with the deletion of the portion about having the cost of the exotics removed from the property. Second by Mr. Kacer. Motion carries 6-1 with Mr. Pires opposed.

Mr. Pettit gave clarification [regarding ordinance changes previously discussed] that the language should read “shall not be evaluated further unless the Land Acquisition Advisory Committee votes for a complete evaluation” on the document “Draft, Ordinance No. 2006-___”. The use of the word “majority” would take it back to the [5].

D. BCC decision – Referendum 2006

Mr. Pettit announced that the Referendum was presented to the Board of County Commission again. The Commissioners decided not to have a specific dollar cap. He then reviewed the document “Resolution No. 2006-111” (see attachment) and read the ballot language.

Ms. Sulecki added that a survey was performed by a political action committee “Keep Conservation Collier” that sampled 400 likely voters between March and April with 62% of the voters supporting continuing the program through 2013.

VI. New Business

A. Cycle 4 application status

1. Kirby Application

Ms. Segura reviewed the property while referencing an aerial view of the property on the overhead (see attachment).

Mr. Pires moved to have staff continue with the evaluation of the property. Second by Mr. Kacer. Motion carries unanimously 7-0.

B. Coordinator General Report

Ms. Sulecki gave a report including the following points:

- There has been no response from DEP on permits in Unit 53, there are no County permits issued.
- Demonstration of a new map from DEP determinations.
- The Cocohatchee PUD has been extended for a couple years.
- The Wosniak property on the Southeast corner of Pine Ridge Road and Logan Blvd. is asking \$500,000 for the property and is not interested in selling it for the appraised value.

Mr. Jenkins brought out the possibility of trading lands on the corners since the Southeast corner is a more desirable property. Ms. Sulecki agreed to look into the possibility.

Ms. Sulecki continued her report:

- There is a meeting set up with the City on the 4.39 acres from the Collier Development Corp.
- Review of the Executive Summary “Recommendation to conduct the Conservation Collier Annual Public Meeting to provide an update on the program’s past activities, for soliciting proposals and applications, and to approve the 4th Cycle Target Protection Areas (TPA) mailing strategy” (see attachment). It is suggested to not look at the parcels within 2,000 feet of Everglades and I-75 due to the possibility of an interchange being built. Demonstration of parcels on a map (see attachment). There are no parcels on Polly Ave. that would be in conflict with possible developments. Demonstration of potential target area on Rattle Snake Hammock/Polly Ave. and Ave Maria (see attachment).
- Meeting schedules for the summer were discussed.

Mr. Jenkins moved to suspend the meeting during the month of August. Second by Mr. Kriz. Motion carries 7-0.

At the previous meeting there was a unanimous vote to adopt the Leave No Trace ethics and principles on the Conservation Collier Lands. This would entail becoming a partner which would incur a fee of \$300 a year. The fee includes: use of logos, use of principles on signage, a link from their web site to the Conservation Collier web site, 10% discount on educational materials, seasonal content for web site, onsite visitors from their traveling trainers to go to events on site, tool kit, education material and resource c.d., listing in

annual report, and the satisfaction that the company is doing it's part to spread Leave No Trace.

Mr. Delate moved to partner with Leave No Trace. Second by Mr. Kacer. Motion carries unanimously 7-0.

C. Outstanding Advisory Committee Member Program

None

VII. Subcommittee meeting reports

A. Outreach – Tony Pires, Chair

No report.

B. Lands Evaluation and Management – Marco Espinar, Chair

No report. A meeting will be scheduled.

C. Ordinance Policy and Procedures – Will Kriz, Chair

The draft of the “Special Benefits Ordinance” was completed and will be submitted to other County departments.

D. 2006 Referendum – Mimi Wolok, Chair Committee Member Comments

No meeting. Mr. Poteet would like to have a vote to sunset the subcommittee placed on the next meeting agenda.

VIII. Public Comments

None

IX. Staff Comments

None

There being no further business for the good of the County, the meeting was adjourned by the order of the Chair at 11:17 AM.

**CONSERVATION COLLIER LAND ACQUISITION ADVISORY
COMMITTEE**

Chairman Bill Poteet