

EXECUTIVE SUMMARY

CONSERVATION COLLIER LAND ACQUISITION ADVISORY COMMITTEE SUNSET

OBJECTIVE: To receive a recommendation from the Conservation Collier Land Acquisition Advisory Committee (CCLAAC) regarding sunset of the Committee.

CONSIDERATION:

The CCLAAC has been instrumental in the success of the Conservation Collier Program, through selecting lands for Conservation Collier, developing policies for managing its affairs, and making recommendations on items such as management plans, amenity and improvement plans, and public outreach. The time and efforts of the citizen volunteers who have participated in CCLAAC over the past 10 years are deeply appreciated by staff.

The discussion about sun-setting the CCLAAC is appropriate and timely based on Section 8.6.d of the *Conservation Collier Ordinance* (2002-63, as amended) which reads as follows:

“At such time as there are insufficient uncommitted funds in the Conservation Collier Acquisition Trust Fund to conclude another acquisition and all acquisition projects have been closed the Land Acquisition Advisory Committee shall report to the County Commission that its business is concluded and all remaining Conservation Collier Acquisition Trust Fund monies shall then be transferred to the Conservation Collier Management Trust Fund.”

This discussion is entered into by staff because the Conservation Collier Ordinance specifically describes the criteria for sunset of the CCLAAC and staff believes these criteria are fulfilled, based on a late 2010 County Attorney response to a staff question regarding sun-setting of the CCLAAC (10-PRM-00211-attached for reference). Additionally, as Conservation Collier staff turns to the business of managing acquired lands, it is becoming clear that more staff resources are needed for land management tasks. With this factor in mind, the staff time dedicated to CCLAAC meetings and related prep time effectively reduces the limited staff time available for management tasks. Staff believes it is timely to approach the Board of County Commissioners to obtain their direction regarding sunset of the CCLAAC.

On 1/25/11 (Agenda Item 10B) the Board of County Commissioners (Board) terminated further acquisition efforts in favor of maximizing funding for perpetual reserve maintenance. While a modest reserve exists, there are currently no Conservation Collier monies budgeted for land acquisition. FY 2013 is the final year of the Conservation Collier Tax levy and thus the final year of Conservation Collier funding. All acquisition projects within the pipeline have been completed. The two multi-parcel projects (NGGE Unit 53 and Winchester Head) that might be considered still open were effectively terminated when the Board terminated any further acquisition activity. The financial plan for the modest reserves in the acquisition fund calls for the funds to be swept into the 174 Land Management Trust Fund in FY 14 and used to assure funding for long term management of preserves.

While staff intends to pursue the multi-parcels projects NGGE Unit 53 and Winchester Head, the effort will rely on a Land Development Code provision (LDC 3.05.07 H.1.f.), allowing off-site

preservation and language in the revised Conservation Collier Ordinance (2007-65, Sect. 14.7), which allows consolidation of remaining parcels in these two projects to complete those projects, rather than a fee simple purchase. Within the Board's moratorium on additional acquisitions there exists the possibility of asking the Board to consider acquisitions that are "very good deals". Staff can bring the occasional "good deal" to the Board for consideration, noting that the Board also asked that any future "good deal" proposals would need to be fully vetted to make sure long term management funding is in place. Finally, the previously noted County Attorney response to staff's question in 2010 regarding sunset of the CCLAAC, states that the open status of the multi-parcel projects does not require that CCLAAC be retained until these projects are completed.

CCLAAC has been an active participant in the Gordon River Greenway Park project and has indicated it would like to maintain involvement until the project is substantially completed. Further, the CCLAAC has indicated it would like Conservation Collier to acquire one remaining parcel, the 7.5-acre CDC parcel that was placed on the Cycle 8 Active Acquisition List as an A project, to add to the Gordon River Greenway project. Whether this acquisition is feasible partially rests on determining the difference in budgeted and committed funds for the overall Gordon River Greenway project. Therefore, CCLAAC has indicated it would like to continue participation through Board determination of this potential.

PROGRAM IMPACT: If the CCLAAC were to sunset:

- All future questions regarding acquisition of lands by payment or donation, Exceptional Benefits petitions, or new proposed policies, would go to the Board for review and action.
- Two resolutions, TDR Conveyance (2008-132) and Off-site Preserves (2010-213) would require revision.
- Staff time would be freed to focus on land management and providing public access to preserve lands.

RECOMMENDATION: That the CCLAAC provide a recommendation to staff that can be transmitted to the Board as part of a request for Board direction on the matter of sun-setting the CCLAAC.

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