

MINUTES OF THE CONSERVATION COLLIER LAND ACQUISITION
ADVISORY COMMITTEE MEETING

Naples, Florida, November 2, 2022

LET IT BE REMEMBERED, the Conservation Collier Land Acquisition Advisory Committee in and for the County of Collier, having conducted business herein, met on this date at 1:00 P.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: Michele Lenhard
Gary Bromley
Brittany Patterson-Weber
David Corban (Excused)
Karyn Allman
Ron Clark
Rhys Watkins (Excused)
John Courtright

ALSO PRESENT: Summer Araque, Conservation Collier Program Coordinator
Sally Ashkar, Assistant County Attorney
Melissa Hennig, Environmental Specialist

1. Roll Call

Chairman Poteet called the meeting to order at 1:00P.M. Roll call was taken and a quorum was established with 7 Members present in the Boardroom.

A. Approval of CCLAAC Members attending the meeting remotely

Not applicable – No Members participated via Zoom

2. Approval of Agenda

Ms. Allman moved to approve the Agenda. Second by Ms. Patterson-Weber. Carried unanimously 7 – 0.

3. Approval of Meeting Minutes

A. September 2, 2022, Regular CCLAAC Meeting

Ms. Lenhard moved to approve the minutes of the September 2, 2022 as presented. Second by Ms. Patterson-Weber, Clark. Carried unanimously 7 – 0.

4. Old Business

A. Acquisition Cycle 10 Updates

John Courtright was welcomed as a new Member of the Committee.

Ms. Araque reported the Popp and eligible Robert H. Gore and Panther Walk Preserve mailing area properties have been acquired by the County. Upcoming closings include the HHH Ranch parcels on November 14th. Staff will begin working on management plans to support the new acquisitions.

Ms. Araque provided an update on Cycle 11 noting some activities have been delayed by the Board of County Commissioners due to Hurricane Ian.

There will be 3 rankings per Cycle moving forward and the Subcommittees will review the timeline for the activity.

B. Acquisition Cycle 10 Purchase Agreements

1. Hofmann Trust - Dr. Robert H. Gore III Preserve parcel

Ms. Araque presented the Executive Summary “*Approve an Agreement for Sale and Purchase for 1.59 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$36,700 (Hoffman Trust)*” for consideration.

Mr. Clark moved to recommend the Board of County Commissioners approve an Agreement for Sale and Purchase for 1.59 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$36,700 (Hoffman Trust). Second by Ms. Allman.

Refresher on conflicts & abstaining

Ms. Ashkar provided the update noting:

- Florida Statute requires a Committee Member to vote on a motion unless they have a conflict of interest.
- A conflict of interest occurs when a Member has a special private benefit or loss for the item under consideration.
- If a Member has any questions, or needs clarification if they have a conflict of interest, they should consult Staff and/or the County Attorney’s Office.

Motion carried unanimously 7 – 0.

2. WISC Investment Company – Marco Island

Ms. Araque presented the Executive Summary “*Approve an Agreement for Sale and Purchase for 0.36 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$422,600 (Wisconsin Investment Company, LLC)*” for consideration.

Mr. Bromley moved to recommend the Board of County Commissioners approve an Agreement for Sale and Purchase for 0.39 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$422,600 (Wisconsin Investment Company, LLC). Second by Ms. Allman. Carried unanimously 7 – 0.

The Committee requested Staff to notify the Committee when there are changes to a Purchase and Sale Agreement after their recommendation of approval.

5. New Business

A. Cycle 11B Initial Screening Criteria (ISC) reviews

1. Frank/Hothersall

Ms. Hennig presented the “*Initial Screening Criteria Form*” for the above referenced parcel. The property is 179.78 acres and located South of I-75 and east of Benfield Rd., surrounded by Picayune Strand State Forest on all sides.
The property satisfies 4 Initial Screening Criteria.

Speaker

Brad Cornell, Audubon of Southwest Florida noted he supports acquisition of all 5 parcels to be considered under this item. Regarding the Frank/Hothersall property, Members should be aware if the State is interested in purchasing the property, they negotiate the lowest price possible, while the County pays fair market value.

Ms. Lenhard noted the Florida Wildlife Federation has indicated support for the County acquiring the property.

Chairman Poteet noted he is not in favor of the County acquiring the parcel, as it is not at risk for development and the program has limited funds to expend on properties.

Ms. Araque noted the lands are considered Sensitive Lands under County programs and only 10 percent of the area may be developed.

Mr. Cornell agreed it may not be at risk for development, but it would be beneficial for the County to gain control of the property as a fill in parcel and collaboration should be investigated with the Department of Environmental Protection or Forestry.

Ms. Lenhard recommended the application be moved forward in the process before a final decision is made by the Committee.

Ms. Patterson-Weber moved for the application to move forward in the acquisition process and for Staff to prepare an Initial Criteria Screening Report. Second by Mr. Clark. Motion carried 5 “yes” – 2 “no.” Chairman Poteet and Mr. Courtright voted “no.”

2. Amirin

Ms. Hennig presented the “*Initial Screening Criteria Form*” for the above referenced parcel. The property is 0.83 acres and located the southeastern tip of Cape Romano within Rookery Bay

National Estuarine Research Reserve (NERR). She noted management of the property would be an issue as it is only accessible by boat.

The property satisfies 4 Initial Screening Criteria.

Speaker

Brad Cornell, Audubon of Southwest Florida noted coastal properties are important buffers, and it is an infill, surrounded by property owned by Rookery Bay National Estuarine and the organization should be contacted to determine their interest in acquiring the parcel.

Some Members noted the parcel may be underwater in the future and recommended it not be acquired while others noted it could be moved forward with a final determination being made after the Initial Criteria Screening Report is prepared.

Ms. Lenhard moved for the application to move forward in the acquisition process and for Staff to prepare an Initial Criteria Screening Report. Without a second, the motion was not considered.

Chairman Poteet moved for the application to not move forward in the acquisition process. Second by Mr. Courtright. Motion carried 5 “yes” and 2 “no.” Ms. Lenhard and Mr. Bromley voted “no.”

3. Sit/Williams - Nancy Payton Preserve TPMA

Ms. Hennig presented the “*Initial Screening Criteria Form*” for the above referenced parcel. The property is 3.0 acres and located off Blue Sage Dr., adjacent to Nancy Payton Preserve. *The property satisfies 4 Initial Screening Criteria.*

Speaker

Brad Cornell, Audubon of Southwest Florida noted Staff should review the Resolutions on the previous litigation which occurred in the area to ensure the County does not overpay for the lands based on the available development rights.

The Committee queried on the subdivision potential of the property - *Ms. Araque noted the potential for subdividing appears minimal as the parcels are 3 acres or less in size.*

Ms. Allman moved for the application to move forward in the acquisition process and for Staff to prepare an Initial Criteria Screening Report. Second by Ms. Patterson-Weber. Carried unanimously 7 – 0.

4. Buckley – Nancy Payton Preserve TPMA

Ms. Hennig presented the “*Initial Screening Criteria Form*” for the above referenced parcel. The properties are 80.0 acres in size and located East of Blue Sage Dr. and north of Brantley Blvd., approx. 1,000 feet east of Nancy Payton Preserve. *The property satisfies 4 Initial Screening Criteria.*

Ms. Araque noted an email was submitted by the Florida Wildlife Federation regarding the properties under consideration at today’s meeting and provided it to the Committee at the beginning of the meeting.

Mr. Bromley moved for the application to move forward in the acquisition process and for Staff to prepare an Initial Criteria Screening Report. Second by Ms. Allman. Carried unanimously 7 – 0.

5. Nicholas/Khoury - Otter Mound TPMA

Ms. Hennig presented the “*Initial Screening Criteria Form*” for the above referenced parcel. The property is 0.43 acres and located 1001 W. Inlet Dr., Marco Island; adjacent to Otter Mound Preserve.

The property satisfies 4 Initial Screening Criteria.

Speakers

Rich Blonna, City of Marco Island City Council addressed the Committee supporting acquisition of the parcel as it is within 100 feet of the Otter Mound parking area and a multi-use path in nearby. The property is at risk for development.

Brad Cornell, Audubon of Southwest Florida noted Otter Mound Preserve was the first parcel acquired under the program and supports the acquisition.

Ms. Lenhard moved for the application to move forward in the acquisition process and for Staff to prepare an Initial Criteria Screening Report. Second by Ms. Allman. Carried unanimously 7 – 0.

Robert H. Gore Preserve Extension Update

Ms. Hennig reported several properties have been proposed for acquisition and will be automatically moving forward in the process given the Initial Criteria Screening Report was previously presented for the entire area.

B. Cycle 11B Initial Criteria Screening Reports (ICSR) reviews

1. Brewer

Ms. Hennig presented the “*Conservation Collier Land Acquisition Program Initial Screening Report for the Brewer parcels.*” The properties adjacent to Wilson Blvd. and 47th Ave. NW, 14.78 acres in size, received a score of 238 out of 400 and have an estimated value of \$269,838. Committee discussion occurred on the potential of a viewing tower for the Swallow Kites that nest on the property.

Speaker

Brad Cornell, Audubon of Southwest Florida noted this area of the County has been the subject of severe hydrologic impacts on a year-round basis. Over drainage caused by canals are a concern and it would be beneficial for the County to coordinate with Big Cypress and Audubon to address drainage issues.

Richard Brewer was present via Zoom and noted the land was bought for conservation purposes and would seek use limitations in the Sales and Purchase Agreement. He would be opposed to structures on the site and the removal of any vegetation.

2. McIlvane Marsh Parcels (owners Connection Investors Group and Relevant Radio) - McIlvane Marsh TPMA

Ms. Hennig presented the “*Conservation Collier Land Acquisition Program Initial Screening Report for the McIlvane Marsh parcels.*” The properties (Connection Investors Group, LLC – 5.00 acres and Relevant Radio – 10.46 acres) are in McIlvane Marsh. The Connection Investor

Group LLC parcel received a score of 175 out of 400 and the Relevant Radio property received a score of 181 out of 400. They have an estimated value of \$22,500 (Connection Investors) and \$58,848 (Relevant Radio). She noted there are radio towers on the property and Staff is recommending they be replaced and consolidated to one area on the site.

Speaker

Brad Cornell, Audubon of Southwest Florida noted guy wires for these towers are a concern for birds as they collide with them. Consolidating towers would be beneficial and the construction of a new tower and anchoring could be completed in accordance with newer building codes to reduce the potential negative impacts on birds.

Ms. Araque noted she would review the codes for construction of these towers to determine any reduced impacts on wildlife.

3. Hoffman – North Belle Meade TPMA

Ms. Hennig presented the “*Conservation Collier Land Acquisition Program Initial Screening Report for the Hoffman parcel.*” The property is in the North Belle Meade Target Mailing Area, 15.0 acres in size, received a score of 201 out of 400 and has an estimated value of \$75,000.

Speaker

Brad Cornell, Audubon of Southwest Florida noted Cabbage Palms dominate the property which indicates the possibility of a previous lumbering activity to remove pine trees, or over drainage of the site. A plan for hydrologic restoration may be appropriate to help reduce the risk of wildfire. He objects to language in any agreements allowing for a future roadway.

Ms. Lenhard noted the purpose for acquisition of the property should be for conservation, not to provide an avenue for the County to save funds on future transportation development. Moving forward, the Exceptional Benefits requirements should dictate any process for land acquisition for roadway use.

Chairman Poteet noted the area has already been identified by the Transportation Department and the Exceptional Benefits provision may be used in the future, however this is generally reserved for those properties where a potential use was unknown at the time of purchase. Indications are the Transportation Department wishes to pay the current acquisition costs for any lands, not a future value.

4. Dredge Management (f.k.a. Magdelaner) – Shell Island TPMA

Ms. Hennig presented the “*Conservation Collier Land Acquisition Program Initial Screening Report for the Dredge Management parcel.*” The property is in the Shell Island Preserve Target Mailing Area, 18.73 acres in size, received a score of 244 out of 400 and has an estimated value of \$796,025.

5. English Trust – Pepper Ranch TPMA

Ms. Hennig presented the “*Conservation Collier Land Acquisition Program Initial Screening Report for the John Edwin English Trust parcel.*” The property is in the Pepper Ranch Preserve Mailing Area, 59.01 acres in size, received a score of 220 out of 400 and has an estimated value of \$101,304.

Recessed: 2:35pm

Reconvened: 2:40pm

C. Public Access and Preserve Amenities Report

Ms. Araque presented the “*Conservation Collier Preserves Public Access and Amenities Report Draft*” dated 9-19-2022. She noted:

- The Report was developed at the direction of the Board of County Commissioners who at their 4/14/22 meeting, requested Staff to investigate the feasibility of utilizing management funds to increase public access to Preserves.
- The Report was reviewed by the Lands Evaluation and Management Subcommittee at their 9/19/22 meeting who recommended the Preserves be numbered on the maps.
- Developing the Report included evaluating existing preserves to determine which Preserves do not have the potential for public access.
- An attachment was prepared which identifies the preserves and the status of amenities.
- The Report will be incorporated into the Annual Report for 2023 and the document does not have an impact on management of the preserves.

She provided an overview of the Report and garnered input from the Committee on any recommended changes.

Ms. Lenhard moved to approve the “Conservation Collier Preserves Public Access and Amenities Report Draft” subject to the following:

- 1. Revising Table 2, “Preserves Closed to Public Access” to provide language indicating Wet Woods Preserve may have the potential for public access if a parking area is developed.*
- 2. Adding language that the Report is to be updated by the Committee every 2 years.*
- 3. Staff providing updates when an amenity is added to a preserve.*

Second by Mr. Clark. Carried unanimously 7 – 0.

6. Coordinator Communications

A. BCC Items – Summary of recent or upcoming agenda items

Ms. Araque reported two Purchase and Sales Agreement will be considered at the November 8th meeting with others to follow at the December 13th meeting.

B. Refresher on conflicts & abstaining

Heard under item 4.B.1

C. Miscellaneous Items

Ms. Araque reported the next ranking process will occur at the December meeting including those applications with the ICSR presented that day.

7. Subcommittee Reports

A. Lands Evaluation & Management – Chair, Bill Poteet – last meeting September 19, 2022; next meeting November 7, 2022 @ 1:30 pm.

B. Outreach – Chair, Brittany Patterson-Weber – Last Meeting February 15, 2022; next meeting November 14, 2022 @ 2:00pm.

C. Ordinance Policy and Rules – Chair, Michele Lenhard- last meeting June 1, 2022; no meetings scheduled (none needed at this time)

8. Chair Committee Member Comments

Ms. Lenhard requested Staff provide an overview of the Exceptional Benefits Ordinance for the Members at a future meeting – *Ms. Araque reported an overview will be provided at a Subcommittee meeting to garner comment before being presented to the full Committee.*

9. Public General Comments

None

10. Staff Comments


Ms. Araque thanked Staff for the work on processing the applications and meeting preparations.

11. Next Meeting Date

December 7, 2022 at 1:00pm.

There being no further business for the good of the County, the meeting was adjourned by order of the chair at 3:16P.M.

Conservation Collier Land Acquisition Advisory Committee



William Poteet, Chairman

These minutes approved by the Board/Committee on 12-7-22 as presented or as amended _____.

(SBA)