

September 11, 2024

MINUTES OF THE CONSERVATION COLLIER LAND ACQUISITION  
ADVISORY COMMITTEE MEETING

Naples, Florida, September 11, 2024

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 9:00A.M. in REGULAR SESSION at the Growth Management Department Building, 2800 North Horseshoe Drive, Naples Florida with the following members present:

CHAIR: Michele Lenhard  
VICE CHAIR: Ron Clark  
Gary Bromley  
Rhys Watkins  
John Courtright  
Nick Pearson  
Austin Howell  
Oriany Brito  
Christopher Satter

ALSO PRESENT: Summer Araque, Environmental Supervisor, Conservation Collier  
Sally Ashkar, Assistant County Attorney  
Melissa Hennig, Environmental Specialist, I  
Jamie Cook, Development Review Division Director  
Kathlene Drew, Administrative Support Specialist, II  
Matthew Denison, Manager - Environmental  
Angel Kelley, Environmental Specialist I

## 1. Roll Call

**Chair Lenhard** called the meeting to order at 9:00A.M. Roll call was taken and a quorum was established with 9 Members present.

**Angel Kelley** was introduced as a new Environmental Specialist I for the Program.

### A. Approval of CCLAAC Members attending the meeting remotely

All Members were present in the Conference Room

## 2. Approval of Agenda

**Mr. Bromley moved to approve the Agenda. Second by Mr. Courtright. Carried unanimously 9 – 0.**

## 3. Approval of July 3, 2024 Meeting Minutes

**Mr. Bromley moved to approve the minutes of the July 3, 2024 meeting subject to the following changes:**

- Approval of Agenda – Item 2 – from “Ms. Lenhard moved...” to “**Mr. Courtright moved...**”
- Approval of Minutes – Item 3 – from “Ms. Lenhard moved...” to “**Mr. Courtright moved...**”
- Item 4.A from “Ms. Lenhard would like an update on Environmental studies...” to “**Chair Lenhard would like an update on Environmental Studies for Williams Farm.**”
- Item 4.B Speaker - Brad Cornell, Audubon of Southwest Florida to **Audubon of the Western Everglades/Audubon Florida**
- Item 5.B, Motion– from “Ms. Lenhard moved...” to “**Mr. Howell moved...**”
- Item 5.C, Motion 1- from “Ms. Lenhard moved... Second by Mr. Bromley” to “**Mr. Bromley moved...Second by Mr. Pearson.**”
- Item 5.C, Motion 2 - from “Ms. Lenhard moved... Second by Mr. Bromley” to “**Mr. Bromley moved...Second by Mr. Pearson.**”

**Second by Mr. Courtright. Carried unanimously 9 – 0.**

## 4. Old Business

**A. Acquisition Updates - Current Acquisition Status report updated monthly in advance of CCLAAC meeting provided as part of meeting packet and under Acquisition News at [www.conservationcollier.com](http://www.conservationcollier.com) for information purposes. The report will be updated monthly (last updated September 4, 2024) including parcels the County has acquired to date, offers made by the County, pending acquisitions and those properties where the owner withdrew the application.**

**Ms. Araque** provided the PowerPoint “*Acquisition Updates as of September 11, 2024*” and noted:

- There have been 13 real estate acquisitions since July with 3 remaining for FY 23/24
- Cycle 10, 11A – All properties closed.
- Cycle 11B – 9 properties acquired totaling 118 acres, 1 remaining (1.14 acres).
- Cycle 12A – 14 properties acquired for a total of 54 acres, 16 applications active at various stages.
- Cycle 12B – approved by BCC 6/25/24, 3 owners accepted offers, Staff is awaiting response from 3 owners, 2 properties with appraisals under review.
- 2024 Cycle – 1 property proposed for acquisition (Williams Farm)
- Robert H. Gore, III Preserve – 14 owners accepted offers totaling 46.7 acres.
- Panther Walk Preserve – 8 owners accepted offers, awaiting decision on 8 others.
- Red Maple Swamp – 1 owner accepted offer for a 1.14 acre parcel.
- Winchester Head – 9 offers accepted totaling 6.01 acres.

**B. Update from Transportation on the Exceptional Benefits Petition for Railhead Scrub Preserve petition**

The following documents were provided as part of the meeting packet:

- *Exceptional Benefits Petition Veterans Memorial Blvd. Extension Railhead Scrub Preserve Parcel Conservation Collier Land Acquisition Advisory Council – April 3, 2024 Board of County Commissioners – July 9, 2024*
- *Railhead Memo from Transportation - Date: August 29, 2024 From: Lorraine M. Lantz, AICP Transportation Planning Manager Subject: Veterans Memorial Blvd. Extension Project and Exceptional Benefits Petition Update*
- *Anderson Carr Appraisal Report*
- *Carrol & Carroll Real Estate Appraiser & Consultants Appraisal Report*
- *Statutory Deed*

**Lorraine Lantz, Transportation Planning Manager** presented the PowerPoint “*Collier County Transportation Management Services Department Veterans Boulevard Extension Exceptional Benefits Petition Update*” noting:

- Two appraisals have been obtained for the property which determined the highest and best use of the lands proposed for transfer is urban residential.
- In addition to the price offered for the lands to Conservation Collier, the Transportation Department will be providing \$35,000 additional compensation to the program for items such as clearing fencing, etc.
- The property boundary was finalized and the lands involve 7.51 acres for the transfer for use as a retention pond.
- The next steps include consideration of the application by the Board of County Commissioners (BCC) at their September 24<sup>th</sup> meeting, obtaining permits and completing the final design of the project.
- Updates will be provided to Conservation Collier as they become available.
- The original value for the property acquisition for the lands in question was \$1.4M and the average of the two recent appraisals is \$2.9M.

During Committee discussion, the following was noted:

- The BCC will make the final determination on what the price for the lands will be under the application (original purchase costs or recent appraisal value).
- The Transportation Department is willing to pay whatever the BCC determines the price should be for the lands.
- The compensation proposed in the amount of \$35,000 was not based on any estimates for the improvements necessary and was determined by upper management.

**Speaker**

**Andy Wells-Bean, Audubon of the Western Everglades** presented the PowerPoint “*VMB Ext Conservation Collier Exceptional Benefits Ordinance Pond Site: Issues and Alternatives*” noting:

- The application does not meet the requirements of the Exceptional Benefits Ordinance as there are conflicts with wildlife movement and vehicle safety given the large amount of animal traffic in the area as indicated on the species mapping.
- Additionally, the proposal conflicts with the Rails to Trails project.
- Options for consideration include:
  - Constructing an over or underpass for wildlife and pedestrian crossing of the proposed roadway.

- Utilizing an alternative pond site on non Conservation Collier lands (although this would require a pumping operation).

He recommended the Committee delay action on the revised application until the issues are resolved. Representatives of Audubon are willing to meet with Transportation Department Staff and consultants regarding the issues.

**Chair Lenhard** noted the Committee's decision should include consideration of Section 2.40 of the Ordinance (if the Exceptional Benefit is consistent with the goal, objectives and policies of the Program and is offset by the transfer of funds); 3.04.3 (whether the proposed compensation provides an Exceptional Benefit to the Program) and 3.06.A-F (the determinations required for approval of the application - substantial public need, no reasonable alternatives, doesn't impact on State or Federal listed species, etc.).

The Committee queried the Transportation Department's on their recommendation on the value of the lands to be transferred.

**Trinity Scott, Transportation Management Services Department Head** reported:

- The Department is recommending the original purchase price value of the lands be paid to Conservation Collier.
- Staff continues to work on the wildlife crossing issues which will be finalized through the permitting process.
- The Rails to Trails cost for acquisition is \$82M for the lands involved in Lee and Collier County. Funding options are being considered including grants, etc. however have not been finalized with a deadline of March of 2026.
- One issue is the railway lands acquired may be reserved for future rail use by the seller and investigation is underway to determine if the lands may be purchased fee simple.
- One benefit of the rail for trail area is it may be utilized for parking for Conservation Collier if the project comes to fruition.

**Robert Bosch, Transportation Department Right-of-Way Manager**, in response to a Committee question, reported if the Department was purchasing private lands for use, they would offer the appraised value of the lands sought (at a minimum), as often a greater amount is settled upon by the parties to expedite the transfer.

**Tim Hall, Turrell Hall & Associates**, in response to the Committee's question on Gopher Tortoise relocation noted:

- The number of tortoises allowed to remain on the Conservation Collier property is subject to the acreage available and carry capacity of the lands.
- Tortoises above the number allowed to be relocated "on site" would be moved to lands in another area of the State.
- Investigation reveals between 2 to 6 tortoises reside on the lands currently and relocation does not occur until right before construction equipment initiates work.

During Committee discussion, it was noted:

- The appraisal value should be the amount paid by the Department for the lands in question.
- Concern the \$35,000 additional compensation may not be adequate for the Program's needs and Conservation Collier shouldn't have to spend additional funds for improvements required due to the project.

**Mr. Courtright moved to provide the following recommendation to the Board of County Commissioners:**

- 1. The compensation currently proposed does not meet the goals of the program and result in an Exceptional Benefit. The financial purchase price should be the fair market value of the property (\$2,910,000.00).**
- 2. The proposed wildlife crossing is insufficient, and work should be done to meet the connectivity needs and public safety needs of the area.**
- 3. The \$35,000.00 proposed additional compensation should be hard estimates to be a more realistic number.**

**Second by Mr. Bromley. Carried unanimously 9 – 0.**

## **5. New Business**

### **A. Initial Criteria Screening Reports (ICSRs) and Rankings**

#### **1. Bacon**

**Ms. Hennig** presented the “*Conservation Collier Land Acquisition Program Initial Criteria Screening Report Bacon Parcel.*” It is located at 611 Inlet Drive, Marco Island, 0.86 acres in size, received a score of 269 out of 400 and has an assessed value of \$ 2,297,272. She noted Staff recommends it be placed on the C-List.

#### **Speaker**

**Richard Blonna, City of Marco Island** spoke in support of the acquisition noting and disagreed it should be placed on the C-List as it has direct water access, a multipurpose pathway is near the site and it is in the middle of the “nature highway.”

**Mr. Watkins** noted he conducted a site visit to the property and agreed with Staff’s recommendation as it is small in size and the acquisition cost is expensive.

**Chair Lenhard** noted the owner resides adjacent to the parcel and the acquisition is problematic as it would serve as preserve lands for their benefit.

**Mr. Bromley moved to place the parcel on the C-List for acquisition. Second by Mr. Watkins. Carried unanimously 9 – 0.**

*Break: 10:23am*

*Reconvened: 10:31am*

#### **2. Durr – Roemer**

**Ms. Hennig** presented the “*Conservation Collier Land Acquisition Program Initial Criteria Screening Report Durr/Roemer.*” It is located on 25<sup>th</sup> NW St., 2.5 acres in size, received a score of 222 out of 400 and has an assessed value of \$197,500. She noted the owner resides adjacent to the parcel and read a letter provided by her outlining their rationale for wanting the property to remain in conservation. Given location, Staff recommended it be placed on the C-List for acquisition.

**Mr. Bromley moved to place the parcel on the C-List for acquisition. Second by Mr. Howell. Carried unanimously 9 – 0.**

#### **3. North Belle Meade TPMA**

##### **a. D & J Naples Investors LLC**

**Ms. Hennig** presented the “*Conservation Collier Land Acquisition Program Initial Criteria Screening Report for North Belle Meade Preserve TPMA.*” The parcel is 5.0 acres in size, received a score of 221 out of 400 and has an assessed value of \$63,250. She noted the

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properties are sending lands and the appraisal will consider 2 development credits have been removed from the site and Staff recommends the property be placed on the A-List for acquisition.

*Mr. Watkins moved to place the parcel on the A-List for acquisition. Second by Mr. Bromley. Carried unanimously 9 – 0.*

The Committee noted due to the recent changes to Transfer Development Rights as they relate to the Program, it would be beneficial for Staff to provide a presentation on the policies for Sending/Receiving lands.

**b. Golden Land Partners LLC**

**Ms. Hennig** presented the “*Conservation Collier Land Acquisition Program Initial Criteria Screening Report North Belle Meade Preserve TPMA.*” The parcel is 6.25 acres in size, received a score of 221 out of 400 and has an assessed value of \$7,500. She noted Staff recommends the property be placed on the A-List for acquisition.

*Mr. Watkins moved to place the parcel on the A-List for acquisition. Second by Mr. Bromley. Carried unanimously 9 – 0.*

**B. 2023 Conservation Collier Annual Report**

**Ms. Araque** presented the “*Conservation Collier 2023 Annual Report*” for consideration. She provided an overview of the Report including Program Milestones, status of the past acquisition cycles, updates on acquisitions, financial conditions, volunteer participation, etc.

*Mr. Watkins moved to recommend the Board of County Commissioners adopt the Conservation Collier 2023 Annual Report as presented by Staff. Second by Mr. Clark. Carried unanimously 9 – 0.*

**6. Subcommittee Reports**

**A. Lands Evaluation & Management – Chair, Ron Clark – Next meeting June 5, 2024**

**1. LEMS Meeting Minutes – 6/5/2024**

*Mr. Bromley moved to approve the minutes of the June 5, 2024 Lands Evaluation & Management Subcommittee meeting as presented. Second by Ms. Lenhard. Carried unanimously 6 – 0.*

**B. Outreach – Chair, John Courtright – Last Meeting June 13, 2024**

**1. Outreach Meeting Minutes – 6/13/2024**

*Mr. Bromley moved to approve the minutes of the June 13, 2024 Outreach Subcommittee meeting as presented. Second by Mr. Pearson. Carried unanimously 4 – 0.*

**C. Ordinance Policy and Rules – Chair, Michele Lenhard - Last meeting December 18, 2023**

**1. OPR Meeting Minutes – 12/18/2023**

*Mr. Watkins moved to approve the minutes of the December 18, 2023 Ordinance, Policy and Rules Subcommittee meeting as presented. Second by Mr. Bromley. Carried unanimously 3 – 0.*

**7. Coordinator Communications**

**A. Miscellaneous**

**Ms. Araque** noted the Pepper Ranch Preserve Sunflower Festival will be held October 9<sup>th</sup> – 13<sup>th</sup>.

**B. BCC Items Related to Conservation Collier**

**1. Previously Heard**

- a. 7/9/2024 – Passed on Consent
  - 1. Budget Amendments to align the Conservation Collier budgets to facilitate the partial transfer of funds from Acquisition Fund & Land Management Fund to the General Fund in total amount \$29,619,397.
- b. 8/13/2024 - Passed on Consent
  - 1. 2024 Cycle Target Protection Area Mailing Strategy
  - 2. Pepper Ranch Preserve Final Management Plan 10-Year Update
  - 3. Purchase Agreements: Aristizabal & Ayra Parcels
  - 4. Purchase Agreements: Winchester Head Preserve – Arndt
- c. 8/27/2024 – Passed on Consent
  - 1. Pepper Ranch Camp Host Agreement
  - 2. Pepper Ranch Preserve Youth Hunt Agreement
  - 3. Purchase Agreements - Winchester Head Preserve - Ebanks Trust parcel
- d. 9/10/2024
  - 1. Purchase Agreements: Cassity, Dinwiddle Trust, Catania/Avidano & Erickson parcels

**2. Upcoming**

- a. 9/24/2024
  - 1. Railhead Exceptional Benefits Request (tentative date)
  - 2. Purchase Agreements: Panther Walk - Radel & Gore – Seepersad
- b. 10/8/2024
  - 1. Purchase Agreement – Gore – Dennison
  - 2. Purchase Agreement – Symphony Properties
  - 3. Haven at North Naples Donation Agreement – Gore & Winchester Head

**8. Chair/Committee Member Comments**

**Mr. Bromley** queried if the Committee would be considering Mr. Wells-Bean’s recommendation on alternate pond sites for the Railhead Scrub Preserve Exceptional Benefits application – *Chair Lenhard noted the proposed pond site was previously approved at the April meeting with today’s action related to the revised application for Pond Site #1.*

**Chair Lenhard** requested Staff to provide presentations on the Fiscal Year 2024/2025 budget and Transfer of Development credits policies at a future meeting.

**9. Public General Comments**

None

**10. Staff Comments**

None

**11. Next Meeting – October 2, 2024**

**There being no further business for the good of the County, the meeting was adjourned by order of the chair at 11:30AM.**

Conservation Collier Land Acquisition Advisory Committee

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Michele Lenhard, Chair

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These minutes approved by the Committee on \_\_\_\_\_ as presented \_\_\_\_\_ or as amended \_\_\_\_\_.