

March 9, 2009

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

Naples, Florida, March 9, 2009

LET IT BE REMEMBERED, that the Collier County 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: Will Kriz
Marco Espinar
Michael Delate
Tony Pires
Jeffrey Curl
Mimi Wolok
George Wilder
Jeremy Sterk
Thomas Sobczak

ALSO PRESENT: Alexandra Sulecki, Conservation Collier Coordinator
Heidi Ashton-Cicko, Assistant County Attorney
Cindy Erb, Real Property Management
Melissa Hennig, Principal Environmental Specialist
Christal Segura, Conservation Collier Land Manager
Kirsten Wilkie, Environmental Specialist

I. Roll Call

Chairman Poteet called the meeting to order at 9:00 AM.

Roll call was taken and a quorum was established.

Mr. Wilder, Mr. Sterk and Mr. Sobczak were welcomed as new members to the Committee.

Kirsten Wilkie was introduced as a new Staff member.

II. Approval of Agenda

Mr. Espinar moved to approve the agenda with the following addition:

Election of New Chairman and Vice Chairman.

Second by Mr. Delate. Carried unanimously 9-0.

Mr. Pires nominated Mr. Poteet as Chairman of the Conservation Collier Land Acquisition Advisory Committee.

*Mr. Pires moved to close nomination for Chairman. Second by Ms. Wolok.
Motion carried 9-0.*

Mr. Poteet retained the Chairmanship

Mr. Pires nominated Mr. Espinar as Vice Chairman of the Conservation Collier Land Acquisition Advisory Committee.

Mr. Espinar announced he is resigning from the Committee.

Mr. Pires nominated Michael Delate as Vice Chairman of the Conservation Collier Land Acquisition Advisory Committee.

*Mr. Pires move to close nominations for Vice Chairman. Second by Mr. Curl.
Carried unanimously 9-0.*

Mr. Delate was declared Vice Chairman of the Committee.

III. Approval of February 9, 2009 Minutes

Ms. Wolok moved to approve the minutes of the February 9, 2009 meeting subject to the following correction:

Page 4, line 7 from "There are no 4-5 major..." to "There are *now* 4-5 major...."

Second by Mr. Delate. Carried unanimously 9-0.

IV. Old Business:

A. Real Property Management Update - A - list properties

Mcllvane Marsh, RJS, LLC. - Agreement slated for Committee review next month.

Unit 53, Red Maple Swamp - Closed on 5 parcels since last meeting.

Camp Keais - Closing in May.

Winchester Head – Closed on 1 parcel March 9, 2009 closings continue with 2 agreements provided for Conservation Collier Land Acquisition Advisory Committee review.

B. Contracts – Winchester Head: Colluccio and Muela

Cindy Erb presented the following Executive Summaries and attached Purchase and Agreement for Sale:

“Approve an Agreement for Sale and Purchase for 1.59 acres within the Winchester Head Multi-parcel Project under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$26,750 (Colluccio)” dated March 9, 2009.

“Approve an Agreement for Sale and Purchase for 1.14 acres within the Winchester Head Multi-parcel Project under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$19,300 (Muela)” dated March 9, 2009.

It was noted the appraisals were in June and July of 2008 and the offers were accepted in October 2008, however the property owners could not close at that time.

Mr. Espinar moved to approve the Executive Summary (“Approve an Agreement for Sale and Purchase for 1.59 acres within the Winchester Head Multi-parcel Project under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$26,750 (Colluccio)” dated March 9, 2009 **and attached agreement. Second by Mr. Curl. Carried unanimously 9-0.**

Mr. Delate moved to approve the Executive Summary (“Approve an Agreement for Sale and Purchase for 1.14 acres within the Winchester Head Multi-parcel Project under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$19,300 (Muela)” dated March 9, 2009 **and attached agreement. Second by Mr. Espinar. Carried unanimously 9-0.**

C. Benfield Rd. and Caloosa Reserve conveyance proposals update

Alex Sulecki noted the following:

Benfield Road – Still awaiting reply from Mr. Levangie (property owner Representative) regarding elimination of Committee requirement for Phase I Environmental Assessment. In addition, the properties are in an area under consideration for County Road improvements, with final locations undetermined which may be affecting landowner decisions.

Caloosa Reserve – A Real Estate Agent representing the property owner indicated they are still interested in conveying to the Program, but are working out financial details.

V. New Business

A. Cycle 7 – New Applications

Alex Sulecki noted the Program receives applications for parcels in the following manner: Landowner application, nominations of lands from owners/outside parties and Outreach from the Conservation Collier Program. Once nominated the Committee completes a Review to determine if the property meets the Goals of the Program and should be moved forward for an Initial Criteria Screening Report.

Alex Sulecki presented a slideshow on the nominated properties noting the following:

City Gate

- The property is 16 acres in size and located east of Collier Blvd and North of I75
- It is adjacent to 20 acres of Collier County mitigations lands for the Solid Waste Resource Recovery Plant, which may be transferred to Conservation Collier.
- The property owners propose to donate the parcel to the Program.
- The property is part of the City Gate's development and part of lands associated with a Habitat Conservation Plan (HCP) and Incidental Take Permit.
- In accordance with the HCP, the property is slated to be encumbered by a US Fish and Wildlife Service Conservation Easement.
- Due to the presence of listed species (Red Cockaded Woodpecker) US Fish and Wildlife Service permit staff recommends public access to the property be limited.
- The owners are willing to provide a Management Plan, associated funding and remove the existing "exotics" on the parcel.

Paganes

- The property was nominated on the last Cycle, but the Board of County Commissioners placed it on the "C-list" due to structures located on the property.
- Mr. Paganes is willing to sub-divide the parcel and transfer the portion without structures to Conservation Collier.
- Mr. Paganes may be willing to remove the structures, if required.
- He may consider a "life estate" proposal if necessary.

It was noted County-zoning requirements may prohibit sub-dividing the property into smaller acreage lots.

Barron Collier Investments

- Two properties associated with the nomination, one adjacent to the Pepper Ranch property to the South (235 acres currently utilized for cattle ranching).
- Other property is approximately 799 acres and part of an application for a Stewardship Sending Area under the RLSA Program.

Discussion ensued on the following:

- On City Gate, some members questioned any positive benefit to the taxpayers of Collier County for the parcel as it may be placed in a Conservation Easement because of development applications.
- Other members noted with the addition of the adjacent Collier County properties, 36 acres could be placed under Conservation Collier control.

Mr. Espinar and Mr. Sterk stated they had a conflict of interest with City Gate parcel and would not be voting in the issue.

Heidi Ashton-Cicko, Assistant County Attorney requested a “conflict of interest form” be filled out and submitted to Staff.

It was noted the Conservation Easement is still in negotiations with the US Fish and Wildlife Service and Conservation Collier should not influence these negotiations via the receipt of an application for acquirement.

On Barron Collier Investments, the 235-acre parcel was the parcel involved in the undisclosed easement issue with the Pepper Ranch property and if purchased by the Program the previous easement granted would be extinguished.

Ms. Wolok moved the Committee continue to consider the Barron Collier Investment parcels. Second by Mr. Espinar. Carried unanimously 9-0.

Chairman Poteet moved the Committee proceed to “look at” the City Gate parcel. Second by Mr. Wilder. Motion carried 6 “yes” – 1 – “no” with 2 abstentions..

Ms. Wolok voted “no.” Mr. Sterk and Mr. Espinar abstained.

Alex Sulecki requested clarification if the Program should consider the Collier County parcels adjacent to the City Gate property.

Mr. Delate moved to consider the Collier County parcels adjacent to the City Gate parcel. Second by Mr. Curl. Motion passed 8 “yes” – 1 “no.” Ms. Wolok voted “no.”

Ms. Wolok moved to table the Paganes parcel pending additional information. Second by Mr. Delate. Carried unanimously 9-0.

B. Cycle 7 Targeted Outreach

Alex Sulecki noted the Outreach Subcommittee recommended the following properties be considered highlighting the following:

Properties South of Winchester Head

- Would assist in connecting flow ways.
- 39% of the parcels within the Winchester Head multi parcel acquisition project have been acquired to date.
- The parcels may be valuable for stormwater management in the area.

The other parcels recommended by the Outreach Subcommittee are:

- A parcel adjacent to the Brochu Preserve.
- The Wozniak parcel located at the Southeast Corner of Logan Woods previously on the "A-list."
- Parcels adjacent to the Oettig/Freiting/Joyce Preserve in Horsepen Strand.
- Parcels located adjacent to the Nancy Payton Preserve.
- Parcels adjacent to County Schools in North Belle Meade, etc.

Properties South of Winchester Head

Mr. Pires moved to direct Staff to send out Outreach letters to the landowners identified south of the existing Winchester Head Multi parcels targeted for acquisition.

Without a second the motion was not considered.

Discussion ensued on the rationale for targeting these properties as only 39% of the existing Winchester Head properties have been acquired and this would be initiating another multi parcel project.

It was noted new appraisals are forthcoming with potentially lower appraised values and the cost of acquiring these parcels would be "minimal."

The Committee sought clarification, the status on the amount of funds available this year for purchase within the Program.

Melissa Henning, Principal Environmental Specialist noted approximately \$3.2M is projected to be available. She will provide an update on the status of the funds at a future meeting.

Ms. Wolok moved to not send Outreach letters to the owners identified south of the existing Winchester Head Multi parcels targeted for acquisition. Second by Mr. Delate. Motion carried 8 "yes" – 1 "no." Mr. Pires voted "no."

Adjacent to Brochu

Mr. Delate moved to direct Staff to send an Outreach letter to the adjacent property identified. Second by Ms. Wolok. Carried unanimously 9-0.

Wozniak

Some members questioned the feasibility of acquiring the parcel due to the high cost of the property with the sole benefit of providing aesthetic qualities for pass by highway traffic.

Others noted this property provides visibility in the urban area, the property was previously on the "A-list" with the offer rejected by the property owner and it assists in providing geographic distribution of properties within the Program.

Mr. Espinar moved to not send an Outreach letter to the owner of the Wozniak parcel. Second by Mr. Delate. Motion carried 5 "yes" – 4 "no." Mr. Curl, Chairman Poteet, Mr. Pires and Mr. Sobczak voted "no."

Adjacent to the Oettig/Freiting/Joyce Preserve

Mr. Espinar moved to direct Staff to send Outreach letters to the adjacent landowners identified South of 62nd Ave and between 60th and 62nd Ave. Second by Mr. Curl. Carried unanimously 9-0.

Adjacent to Nancy Payton Preserve

Chairman Poteet moved to direct Staff to send an Outreach letter to the adjacent landowners to the East as identified by Staff. Second by Mr. Delate. Carried unanimously 9-0.

Adjacent to Schools

Mr. Espinar moved to not send Outreach letters to the landowners adjacent to schools as identified by Staff. Second by Mr. Sterk. Motion carried 8 “yes” – 1 “no.” Ms. Wolok voted “no.”

C. Milano Property Final Management Plan

Christal Segura, Conservation Collier Land Manager submitted the “*Milano Preserve Land Management Plan, Second Draft*” for approval.

Staff may be applying for a Grant (\$250,000) to fund a proposed boardwalk. It was noted Staff could approve funding construction of the boardwalk; however the Committee should review the expenditure for approval.

Discussion ensued on the feasibility of coordinating Management Activities with adjacent properties to the north and west and providing a statement addressing it in the Management Plan.

Ms. Wolok moved to approve the “Milano Preserve Land Management Plan, Second Draft” subject to the understanding if Option #2 as outlined on Page 43 is chosen (construction of a boardwalk) or any other capital expenditure is proposed it be approved by the Conservation Collier Land Acquisition Committee. Second by Mr. Pires.

Ms. Wolok moved to amend the motion to include the language in the original motion and in addition, Page 39, Action item 2.1, and paragraph 2, line 9 is amended to read: “Wildlife sampling of non listed species, like plant sampling,” Second by Mr. Pires. Carried unanimously 9-0.

D. Outstanding Advisory Committee Member Program

Marco Espinar was chosen as Outstanding Advisory Committee member for February 2009.

It was noted the Committee is subject to the Sunshine Law and Colleen Greene, Assistant County Attorney, will be providing a presentation on the Law at a future meeting.

E. Coordinator Communications

There will be a Community Conservation Celebration at Mackle Park on Marco Island on Saturday March 14, 2009. Conservation Collier will be participating in the event.

The Nature Conservancy, Defenders of Wildlife and Friends of Florida have released a study "*The Economic Benefits of Land Conservation: A case for Florida Forever*" which may be accessed by the Committee via an internet link provided by Staff.

F. Subcommittee task review and membership renewal

Alex Sulecki presented the document "*Conservation Collier Subcommittees*" dated March 2009. The Subcommittee memberships were assigned as follows: **Outreach** – Mr. Curl, Mr. Pires, Chairman Poteet and Mr. Sobczak.

Lands Evaluation and Management – Ms. Wolok, Mr. Sterk, Mr. Delate, Mr. Sobczak and Mr. Wilder.

Ordinance Policy and Procedures – Mr. Curl, Ms. Wolok, Mr. Pires and Chairman Poteet.

VII. Sub-Committee Meeting Reports

A. Outreach – Tony Pires, Chair

The Subcommittee continues to work on the brochure and has developed a concept for signage for the Conservation Collier properties. It was noted the Communication Department has approved the "logo" utilized in the signage. It was also noted that each preserve will have a unique icon associated with it that will be presented on the preserve sign.

Chairman Poteet moved to accept the design concept presented by Staff for the Otter Mound Preserve sign. Said design concept to be utilized for all Conservation Collier Preserve signs. Second by Mr. Pires. Carried unanimously 9-0.

B. Lands Evaluation and Management – Marco Espinar, Chair

The Subcommittee met to develop the Milan Management Plan approved today and discussed public access opportunities for Conservation Collier properties.

C. Ordinance Policy and Procedures – Chair – pending election

Mr. Curl noted the Subcommittee met and discussed how to prevent the issue that arose with the Pepper Ranch undisclosed prescriptive easement. (The County Manager directed staff to send a letter to surrounding property owners requesting

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disclosure of access issues.) The County Attorney's Office is reviewing a proposed letter for adjacent property owners for use by the Program. In addition, the application and related checklist are under review for possible improvements in the area.

VIII. Chair Committee Member Comments

Alex Sulecki noted pertinent emails received in reference to applications received for the Program are stored as a "hard copy" in the file.

The Committee noted Mr. Espinar's resignation, and outstanding service to the Committee.

IX. Public General Comments

None

X. Staff Comments

None

There being no further business for the good of the County, the meeting was adjourned by order of the chair at 10:57 A.M.

**Conservation Collier Land Acquisition Advisory
Committee**



Bill Poteet, Chairman

These minutes approved by the Board/Committee on 4-13-09
as presented or as amended 