

**ORDINANCE NO. 2014 - 18**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, AMENDING ORDINANCE NO. 2002-63, AS AMENDED, KNOWN AS THE CONSERVATION COLLIER IMPLEMENTATION ORDINANCE, IN ORDER TO MODIFY THE ROLE OF THE LAND ACQUISITION ADVISORY COMMITTEE; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, on Tuesday, November 5, 2002, the electorate of Collier County authorized a levy of 0.25 mill ad valorem property tax for a period of not to exceed 10 (ten years, for acquisition, protection, restoration, and, management of environmentally sensitive lands in Collier County for the benefit of present and future generations; and

WHEREAS, accordingly, the Board of County Collier County Commissioners (Board) adopted Ordinance No. 2002-63, The Conservation Collier Implementation Ordinance, which established the Conservation Collier Program and its Land Acquisition Advisory Committee; and

WHEREAS, Conservation Collier is not currently engaged in an ongoing acquisition phase; and

WHEREAS, the Board wishes to amend Section 8 of The Conservation Collier Implementation Ordinance in order to modify the role of the Land Acquisition Advisory Committee to allow them to review and make recommendations to the Board on the management and programs of the preserved land.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

**SECTION ONE: AMENDMENT TO SECTION 8 OF ORDINANCE NO. 2002-63, AS AMENDED.**

Section 8 of Ordinance No. 2002-63, as amended, is hereby amended as follows:

Section 8 - Land Acquisition Advisory Committee.

1. Creation and purpose. The Land Acquisition Advisory Committee is hereby established to assist the Board of County Commissioners in establishing an Active Properties Acquisition List with qualified purchase recommendations consistent with the goals of Conservation Collier. When active acquisition phases are not in place, the land acquisition committee's role shall be to

Words Underlined are added; Words ~~Struck-Through~~ are deleted.

review and make recommendations to the Board on the management and programs of the preserved land.

2. Appointment and composition. The land acquisition advisory committee shall be composed of nine (9) members who are appointed by and will serve at the pleasure of the Board of County Commissioners in accordance with Ordinance No. 2001-55. Membership of The Land Acquisition Advisory Committee shall comprise broad and balanced representation of the interests of Collier County citizens, including.

- a. Environmental, land management, and conservation interests in Collier County.
- b. Agricultural and business interests in Collier County.
- c. Educational interests in Collier County, and
- d. General civic and citizen interests from throughout the county.

Individual members of the land acquisition advisory committee shall have expertise, knowledge or interest in ecology, conservation of natural resources, real estate or land acquisition, land appraisal, land management, eco-tourism or environmental education. A nominee shall submit to the Board of County Commissioners written evidence of his or her expertise, knowledge or interest in any of the above. The members of this committee should include representatives from different areas of Collier County.

3. Terms of office. The initial terms of office of the members shall be staggered between the individual interests, for balance purposes, and be set as follows:

- a. Three (3) members shall serve three (3) years.
- b. Three (3) members shall serve two (2) years.
- c. Three (3) members shall serve one (1) year.

Thereafter, all appointments shall be for a term of three (3) years. The process for appointments and terms of office shall be governed by Collier County Ordinance No. 2001-55, as amended.

4. Officers, Quorum and Rules of Procedure. At its earliest opportunity, the membership of the Committee shall elect a chairperson and vice chairperson from among the members. Officers' terms shall be for a period of one (1) year, with eligibility for reelection.

The presence of five (5) or more members shall constitute a quorum of the Committee necessary to take action and transact business. The Committee shall, by majority vote of the entire membership, adopt rules of procedure for the transaction of business. The Land Acquisition Advisory Committee shall comply with the applicable requirements of the Florida Sunshine Law, and shall keep a written record of meetings, resolutions, findings and

determinations in accordance with Chapter 112, *Florida Statutes*. Copies of all Committee minutes, resolutions, reports, and exhibits shall be submitted to the Board of County Commissioners.

5. Attendance and vacancies. Committee member attendance requirements, including failure to attend meetings and member removal from office are governed by Collier County Ordinance No. 2001-55, as amended.

6. Functions, Powers and Duties of the Land Acquisition Advisory Committee. The Land Acquisition Advisory Committee shall have the following duties and responsibilities:

a. The Land Acquisition Advisory Committee's primary responsibility is to recommend to the Board of County Commissioners an Active Properties Acquisition List with qualified purchase recommendations consistent with the goals of Conservation Collier and pursuant to the policies outlined herein below.

b. The Land Acquisition Advisory Committee may, from time to time, recommend to the Board of County Commissioners proposed expenditures from the Conservation Collier Trust Funds; additional selection or acquisition policies, procedures, and programs; and other such matters as may be necessary to fulfill the purposes of Conservation Collier. However, the goals and primary criteria of Conservation Collier may not be modified except by countywide referendum vote.

c. The Land Acquisition Advisory Committee shall have no power or authority to commit Collier County to any policies, to incur any financial obligations or to create any liability on the part of the County. The actions and recommendations of the Land Acquisition Advisory Committee are advisory only and shall not be binding upon the County unless approved or adopted by the Board of County Commissioners.

d. 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. All remaining Conservation Collier Acquisition Trust Fund monies shall then be transferred to the Conservation Collier Management Trust Fund. Thereafter, unless and until additional funds are appropriated by the Board for the purpose of acquiring additional Conservation Collier Program acquisitions, the land acquisition advisory committee shall generally meet on a quarterly basis to review and make recommendations to the Board as warranted regarding the management and programs of the preserved land.

~~7. Review of the land acquisition advisory committee. The land acquisition advisory committee shall be reviewed by the Board of County Commissioners every four years in accordance with the provisions of Section Nine of Collier County Ordinance No. 2001-55, as amended.~~

**SECTION TWO: Conflict and Severability.**

In the event this Ordinance conflicts with any other ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of the Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

**SECTION THREE: Inclusion in the Code of Laws and Ordinances.**

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Collier County, Florida. The sections of the Ordinances may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

**SECTION FOUR: Effective Date.**

This Ordinance shall become effective upon receipt of notice from the Secretary of State that this Ordinance has been filed with the Secretary of State.

**PASSED AND DULY ADOPTED** by the Board of County Commissioners of Collier County, Florida, this 27th day of May, 2014.

ATTEST:  
DWIGHT E. BROCK, Clerk

BOARD OF COUNTY COMMISSIONERS  
COLLIER COUNTY, FLORIDA

By: [Signature]  
Attest as to Chairman's  
signature only.

By: [Signature]  
TOM HENNING, CHAIRMAN

Approved as to form and legality:  
[Signature]  
Jeffrey A. Klatzkow, County Attorney

This ordinance filed with the  
Secretary of State's Office the  
30th day of May, 2014  
and acknowledgement of that  
filing received this 30th  
day of May, 2014.  
By: [Signature]  
Deputy Clerk

Words Underlined are added; Words ~~Struck Through~~ are deleted.



**FLORIDA DEPARTMENT *of* STATE**

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

May 30, 2014

Honorable Dwight E. Brock  
Clerk of the Circuit Court  
Collier County  
Post Office Box 413044  
Naples, Florida 34101-3044

Attention: Martha Vergara, Deputy Clerk

Dear Mr. Brock:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Collier County Ordinance No. 14-18, which was filed in this office on May 30, 2014.

Sincerely,

Liz Cloud  
Program Administrator

LC/mrh  
Enclosure