

MINUTES OF THE CONSERVATION COLLIER LAND ACQUISITION
ADVISORY COMMITTEE MEETING

Naples, Florida, January 14, 2019

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 9:00 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: Pat Sherry
Susan Calkins
Michael Seef
John Psaras (Excused)
Jacob Winge (Excused)
Carol Pratt
Gary Bromley
Brittany Patterson-Weber

ALSO PRESENT:

Summer Araque, Conservation Collier Program Manager
Jennifer Belpedio, Assistant County Attorney
Melissa Hennig, Environmental Specialist

I. Roll Call – Election of Chair and Vice Chair

Chairman Poteet called the meeting to order at 9:00 A.M. Roll call was taken and a quorum was established.

Election of Chair and Vice Chair

These actions were taken under item VII during the meeting.

Mr. Seef moved to appoint William Poteet as Chairman of the Conservation Collier Land Acquisition Advisory Committee. Second by Ms. Sherry. Carried unanimously 7 – 0.

Mr. Seef moved to appoint Patricia Sherry as Vice Chairman of the Conservation Collier Land Acquisition Advisory Committee. Second by Ms. Pratt. Carried unanimously 7 – 0.

II. Approval of Agenda

Ms. Sherry moved to approve the Agenda. Second by Ms. Calkins. Carried unanimously 7 – 0.

III. Approval of December 3, 2018 minutes

Mr. Seef moved to approve the minutes of the December 3, 2018 meeting as presented. Second by Ms. Sherry. Carried unanimously 7 – 0.

IV. Old Business

A. Cycle 9 Acquisition - Update

Ms. Araque provided the “*BCC Cycle 9 Approved Active Acquisition List July 10, 2018*” dated January 14, 2019 for informational purposes. She noted that 7 of the 9 properties remain on the list with the Robert Gore Estate parcel being purchased and the Hack Family Trust parcel being removed from the list. She will email an updated list to the Committee for their records.

V. New Business

A. 2020 Referendum

Chairman Poteet recommended that the Committee begin working on the language necessary to place the referendum to reinstitute acquisition funding on the 2020 ballot. The process is long term with statutory requirements.

Ms. Sherry moved to request the Board of County Commissioners grant the Committee permission to develop the language for the 2020 referendum for the reauthorization of a funding source for the program’s land acquisitions. Second by Ms. Calkins. Carried unanimously 7 – 0.

B. Preserve Updates

Ms. Hennig provided the PowerPoint “*Conservation Collier Program Preserve Update*” for informational purposes. The following was noted during the update:

Caracara Preserve - Staff is pursuing additional access points to the Preserve given the current entry is through the CREW lands over a drainage swale which periodically floods during the year.

Railhead Scrub Preserve – Staff is to investigate any options for drone patrols by the Collier County Sheriff’s Department to control trespassers and determine the status of the transportation department road construction project.

C. Purchase Policy Resolution

Chairman Poteet reported that the Board of County Commissioners proposed revising the Program’s Purchasing Policy (adding Section II.E to Resolution 2007-300) to allow acquisitions for lands at a greater price than its appraised fair market value. The proposal was remanded to the Committee for input and the following was noted during discussions:

- Concern that the proposal is unnecessary as the Florida Statute already permits the County to undertake the activity by a super majority vote of the BCC.
- The rationale for the change is to codify the allowance and facilitate the ability to utilize it in the program.
- It may be advantageous to amend the proposed wording to eliminate reference to the CCLAAC.
- Consideration may want to be given to defining the parameters of “exceptional criteria.” - *Members noted the Committee does consider these types of characteristics when proposing properties for acquisition.*
- Concern was expressed that the activity may be utilized as a normal practice as opposed to a rarely utilized feature in the program.

Speakers

Meredith Budd, Florida Wildlife Federation agreed that the proposal is unnecessary given the language in the Statute and expressed concern it may provide an avenue for owners or others supporting the acquisition to begin lobbying for the purchase.

Brad Cornell, Audubon of the Western Everglades noted that the practice should only be utilized on rare occasions and expressed concern the process may shift towards more of a negotiation between parties as opposed to a purchase at fair market value.

Ms. Sherry moved to recommend the Board of County Commissioner adopt the following language for Section II.E of the Conservation Collier Draft Purchasing Policy:

“Notwithstanding the foregoing, the Board recognizes that there may be unique or exceptional parcels and in keeping with Florida Statute 125.355, as may be amended, the Board may approve the purchase by an extraordinary vote.”

Second by Ms. Weber. Carried unanimously 7 – 0.

VI. Coordinator Communications

A. BCC Items

Ms. Araque reported:

1/8/19 – That the Caracara Preserve cattle lease approved; Pepper Ranch 5 Year Management Plan Update approved; Annual Report approved; Discussion on the revisions of the Ordinance continued to 1/22.

1/22/19 – Review of the Ordinance revisions, discussion of Cycle 9 Acquisitions.

B. Misc Items

Ms. Araque reported that Mr. Winge and Mr. Psaras have resigned from the Committee.

Discussion occurred noting the proposed amendment to the Ordinance does not include the current language for the Committee to reduce to 7 members at times acquisition are not active and the program is solely in a management phase. It may be beneficial to retain the Committee at 9 Members at all times given a number of interested individuals wishing to serve on the Committee. **Ms. Belpedio, Assistant County Attorney** queried the Committee on their preference as she would make the changes as necessary given the language was omitted from the current draft.

Ms. Sherry moved for County Staff to add the language “When active acquisition phases are not in place, the Land Acquisition Advisory Committee shall be composed of seven (7) members” back into the proposed Ordinance and to delete it for the purposes of retaining the membership of the Committee at 9 for all functions associated with the program. Second by Ms. Calkins. Carried unanimously 7 – 0.

Ms. Araque reported the Committee will be meeting quarterly in 2019 (April, 9th, July 8th and October 14th).

VII. Subcommittee Reports

A. Lands Evaluation & Management – Chair, Bill Poteet – No meeting

B. Outreach – Chair, Michael Seef, Meeting scheduled January 23, 2019

Mr. Seef reported that the Naples Preserve is revamping their displays for the banners and requested the Committee to revise their design. Efforts continue to identify presentation opportunities to various organizations in the area and staffing information booths at public gatherings such as the Naples Preserve Gopher Tortoise Day, etc.

C. Ordinance Policy and Rules – Chair, Patricia Sherry – No meeting

Ms. Sherry reported that no meeting is scheduled however there are now 2 vacancies on the Subcommittee.

Ms. Weber and Ms. Calkins were appointed to the Subcommittee.

VIII. Chair Committee Member Comments

None

IX. Public General Comments

Brad Cornell, Audubon of the Western Everglades recommended the following changes to the proposed Ordinance:

- Section 14.7 – reinsert the language on permitting transfer of development rights to the County as it may be a useful tool in the future.
- Objects to the acquisition priority for urban lands as Conservation Collier is not a parks program.
- Ensuring the name of the trust fund is consistent throughout the document.
- Section 13.3 – Eliminate the reference to utilizing a third party review.

The Committee noted that the BCC requested the Ordinance changes and the Committee provided input at the previous meeting and noted it would be more beneficial to present the proposals to the BCC when the item is considered.

Meredith Budd, Florida Wildlife Federation reported that she submitted a detailed letter on the proposed Ordinance to the BCC and will forward it to Staff for dissemination to the Committee Members.

Gladys Delgadillo, Conservancy of Southwest Florida recommended changes to Section to 13.3 clarifying the role of a third party review. The Committee determined the language should be clarified.

Ms. Sherry moved to recommend the Board of County Commissioners amend Section 13.3 line 1 – 2 be changed from “Proposals which satisfy the initial screening may be further evaluated by a qualified third party entity for presentation...” to “Proposals which satisfy the initial screening will be further evaluated by Staff or a qualified third party entity for presentation...”. Second by Ms. Calkins. Carried unanimously 7 – 0.

X. Staff Comments

A. Sunshine Law Refresher – Scheduled for April 8th CCLAAC

Chairman Poteet reminded the Committee Members to refrain from using “*reply all*” in any Committee business email communications and if they have questions on the Sunshine Law they may contact Staff.

There being no further business for the good of the County, the meeting was adjourned by order of the chair at 10:34 A.M.

**Conservation Collier Land Acquisition
Advisory Committee**

Bill Poteet, Chairman

These minutes approved by the Board/Committee on _____
as presented _____ or as amended _____.