

MINUTES OF THE CONSERVATION COLLIER LAND ACQUISITION
ADVISORY COMMITTEE MEETING

Naples, Florida, December 7, 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
Karyn Allman
Ron Clark
Rhys Watkins
John Courtright

ALSO PRESENT: Summer Araque, Conservation Collier Program Coordinator
Sally Ashkar, Assistant County Attorney
Melissa Hennig, Environmental Specialist
Christal Segura, Sr. Environmental Specialist (Zoom)

1. Roll Call

Chairman Poteet called the meeting to order at 1:00P.M. Roll call was taken and a quorum was established with 8 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

Mr. Watkins moved to approve the Agenda subject to removing Item 6.A - Review of Exceptional Benefits Ordinance. Second by Ms. Patterson-Weber. Carried unanimously 8 – 0.

3. Approval of Meeting Minutes

A. November 2, 2022, Regular CCLAAC Meeting

Ms. Lenhard moved to approve the minutes of the November 2, 2022 as presented. Second by Ms. Allman. Carried unanimously 8 – 0.

4. Coordinator Communications

A. Committee Member application(s) up for renewal

Ms. Araque reported 2 Committee Members terms are expiring and any interested individual should file an application by December 23rd to be considered for a recommendation by the Committee at the January meeting.

B. BCC Items

Ms. Araque reported at the Sale and Purchase Agreements for Cycle 11 will be considered at the 12/13/22 and 1/10/23 Board of County Commissioner meetings.

C. Miscellaneous Items

Ms. Araque reported Staff will be proposing changes to the 2023 meeting dates due to scheduling conflicts.

5. Old Business

A. Acquisition Cycle 10 Purchase Agreements

The following Sale and Purchase Agreements were approved under one motion but listed separately for recording purposes.

The Committee requested Staff to make any revisions to dates cited in the agreements as necessary.

1. Dr. Robert H. Gore III Preserve project

a. Quevedo

Ms. Araque presented the Executive Summary “*Approve an Agreement for Sale and Purchase for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$28,650 (Quevedo)*” for consideration.

Ms. Lenhard moved to recommend the Board of County Commissioners approve an Agreement for Sale and Purchase for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$28,650 (Quevedo). Second by Mr. Bromley. Allman. Carried unanimously 8 – 0.

b. Zani

Ms. Araque presented the Executive Summary “*Approve an Agreement for Sale and Purchase for 2.27 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$28,650 (Zani)*” for consideration.

Ms. Lenhard moved to recommend the Board of County Commissioners approve an Agreement for Sale and Purchase for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$56,000 (Zani). Second by Mr. Bromley Carried unanimously 8 – 0.

c. Charles

Ms. Araque presented the Executive Summary “*Approve an Agreement for Sale and Purchase for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$25,700 (Charles)*” for consideration.

Ms. Lenhard moved to recommend the Board of County Commissioners approve an Agreement for Sale and Purchase for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$25,700 (Charles). Second by Mr. Bromley. Carried unanimously 8 – 0.

2. Panther Walk Preserve project

a. Salgado

Ms. Araque presented the Executive Summary “*Approve an Agreement for Sale and Purchase for 2.73 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$74,600 (Salgado)*” for consideration.

Ms. Lenhard moved to recommend the Board of County Commissioners approve an Agreement for Sale and Purchase for 2.73 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$74,600 (Salgado). Second by Mr. Bromley. Carried unanimously 8 – 0.

b. Sparkman

Ms. Araque presented the Executive Summary “*Approve an Agreement for Sale and Purchase for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$33,700 (Sparkman)*” for consideration.

Ms. Lenhard moved to recommend the Board of County Commissioners approve an Agreement for Sale and Purchase for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$33,700 (Sparkman). Second by Mr. Bromley. Carried unanimously 8 – 0.

c. Lopez-Rodriguez

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 \$43,650 (Lopez-Rodriguez)*” for consideration.

Ms. Lenhard 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 \$43,650 (Lopez-Rodriguez). Second by Mr. Bromley. Carried unanimously 8 – 0.

3. Red Maple Swamp Preserve project

a. Guerra

Ms. Araque presented the Executive Summary “*Approve an Agreement for Sale and Purchase for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$21,100 (Guerra)*” for consideration.

Ms. Lenhard moved to recommend the Board of County Commissioners approve an Agreement for Sale and Purchase for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$21,100 (Guerra). Second by Mr. Bromley. Carried unanimously 8 – 0.

4. Winchester Head Preserve project

a. Casasierra Realty

Ms. Araque presented the Executive Summary “*Approve an Agreement for Sale and Purchase for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$29,100 (Casasierra Realty, LLC.)*” for consideration.

Ms. Lenhard moved to recommend the Board of County Commissioners approve an Agreement for Sale and Purchase for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$29,100 (Casasierra Realty, LLC). Second by Mr. Bromley. Carried unanimously 8 – 0.

b. Ruben Trust

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 \$40,500 (Ruben Trust)*” for consideration.

Ms. Lenhard 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 \$40,500 (Ruben Trust). Second by Mr. Bromley. Carried unanimously 8 – 0.

c. Toro Trust

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 \$40,500 (Toro Trust)*” for consideration.

Ms. Lenhard 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 \$40,500 (Toro Trust). Second by Mr. Bromley. Carried unanimously 8 – 0.

d. Fesser

Ms. Araque presented the Executive Summary “*Approve an Agreement for Sale and Purchase for 2.27 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$57,600 (Fesser)*” for consideration.

Ms. Lenhard moved to recommend the Board of County Commissioners approve an Agreement for Sale and Purchase for 2.27 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$57,600 (Fesser). Second by Mr. Bromley. Carried unanimously 8 – 0.

Mr. Corban arrived at 1:10pm

B. Acquisition Cycle 10 Updates

Ms. Araque noted:

- The County acquired the HHH Ranch 256 parcel on November 14th and will begin working on the Interim Management Plan.
- The purchase offer for the Blocker parcel was accepted by the owner
- Staff continues to process Purchase and Sale Agreements for the properties approved for acquisition.
- The owners of Big Hammock I declined the County’s offer and withdrew Parcel II for consideration.

C. Conservation Collier Cycle Timeline revisions

Ms. Araque presented the “*Biannual Cycle Timeline 2022 – 2024*” for consideration. She provided an overview of the timelines noting properties for Cycle 12B will be ranked in the spring of 2024.

Speaker

Brad Cornell, Audubon of the Western Everglades expressed concern on the Cycle timeline being extended into 2024 given the current state of the real estate market and owners who want to sell properties over the short term.

Ms. Patterson-Weber moved to approve the “*Biannual Cycle Timeline 2022 – 2024*” as presented by Staff. Second by Ms. Lenhard.

Ms. Lenhard noted there are many tools available for acquisition, especially for multi parcel areas and the schedule would easier navigate given how busy the County is at this point in time. The Committee is aware expediting the process is beneficial to the program.

Motion carried unanimously 9 – 0.

6. New Business

A.1 Lie – Nancy Payton Preserve TPMA

Ms. Hennig presented the “*Initial Screening Criteria Form*” for the above referenced parcel. The property is 0.50 acres and located off Blue Sage Dr., adjacent to the Nancy Payton Preserve. *The property satisfies 4 Initial Screening Criteria.*

Ms. Allman moved for the application to move forward in the acquisition process and for Staff to prepare an Initial Screening Criteria Report. Second by Ms. Patterson-Weber. Carried unanimously 9 – 0.

During Committee discussion it was noted the application will be immediately forwarded to the ICSR phase and ranked at today's meeting. Any requirements for environmental remediation would be determined following the ranking process.

B. Initial Criteria Screening Report (ICSR) reviews

1. Owl Hammock – Collier Land Holdings

Ms. Hennig presented the “*Conservation Collier Land Acquisition Program Initial Criteria Screening Report for Owl Hammock.*” The properties are located on SR 29, 7,378 acres in size, received a score of 300 out of 400 and have an estimated value of \$29,512,000.

During Committee discussion it was noted:

- Staff will determine the status of any cattle leases for the property.
- April Olsen of the Conservancy of Southwest Florida provided an email outlining their objection to the property being considered for acquisition. The objections are based on a major portion of the property already being subject to environmental protection measures at no cost to the taxpayers – *The Committee noted the comments will be considered during the ranking process.*
- The County does partnership with FWC on funding for removing invasive species which would be beneficial in managing a property of this nature.

2. Frank/Hothersall

Ms. Hennig presented the “*Conservation Collier Land Acquisition Program Initial Criteria Screening Report for the Frank/Hothersall parcel.*” The property is located South of I75 east of Newman Drive, 179.78 acres in size, received a score of 247 out of 400 and has an estimated value of \$537,000.

During Committee discussion it was noted

- The State is interested in purchasing the parcel depending on the cost however they tend to offer less than market value for properties where the Conservation Collier offers fair market value.
- Joint funding is not possible between the parties because the state will not allow for joint title on properties.
- One option to consider is if the property is placed on the A list, an appraisal will be obtained and the information could be provided to the State to determine their interest in making an offer on the parcel.

3. Sit/Williams/Chew and Lie - Nancy Payton Preserve TPMA

Ms. Hennig presented the “*Conservation Collier Land Acquisition Program Initial Screening Criteria Report for the Sit/Williams parcel.*” The properties are located adjacent to the Nancy Payton Preserve on Blue Sage Drive, 3.5 acres (Sit/Williams/Chew), 0.5 acres (Lie), received a score of 240 out of 400 (Sit/Williams/Chew) and 215 out of 400 (Lie) and have an estimated value of \$300,000 (Sit/Williams/Chew) and \$40,000 (Lie).

4. Buckley – Nancy Payton Preserve TPMA

Ms. Hennig presented the “*Conservation Collier Land Acquisition Program Initial Screening Criteria Report for the Buckley parcels.*” The property is located east of the Nancy Payton Preserve, 80 acres, received a score of 272 out of 400 and has an estimated value of \$640,000.

During Committee discussion it was noting there is no access to the parcel however the adjacent property owners or South Florida Water Management District could be contacted to determine the feasibility of obtaining an easement.

5. Khoury - Otter Mound TPMA

Ms. Hennig presented the “*Conservation Collier Land Acquisition Program Initial Screening Criteria Report for the Khoury parcel.*” The property is located 1001 West Inlet De. Marco Island, 0.43 acres in size, received a score of 260 out of 400 and has an estimated value of \$720,000.

C. Acquisition Cycle 11B Property Summary, Public Comments, and Ranking

The Committee will be taking Public Comments in advance of the Ranking. Public speakers may speak on any or all of the properties on the Cycle 11B Property list:

Ms. Araque presented the PowerPoint “*Cycle 11B Property Summary, December 7, 2022 Conservation Collier Land Acquisition Advisory Committee*” and provided an overview of the properties under consideration for ranking. The following was noted during the presentation:

Brewer

The owner has requested restricting public access to the property due to Swallow Kite nesting as a condition of sale and may even request prohibition of construction of a viewing stand on the periphery of the parcel. Staff noted if acquisition of the property moves forward, staff from the Avian Research Institute would be engaged to determine any impacts of public activity and provide recommendations on any proposed amenities or access.

Owl Hammock

The cost of acquiring the parcel is substantial (\$29M +/-) and the feasibility of a phased purchase should be discussed with the owner.

Relevant Radio and Connection Investors

Staff noted their recommendation on Relevant Radio being placed on the A list and Connection Investors on the B list revolves around access issues and the ability of the towers to be consolidated on the Relevant Radio parcel.

Multi Parcel Projects

The Committee discussed multi parcel projects and avenues available to fund purchase of the lots over time. The following was noted:

- The current concept is utilizing any remaining budgetary funds in a year to acquire the properties and concern there may not be adequate funds available when the need to purchase a property arises.
- Consideration could be given to reserving a portion of funds annually dedicated to the projects or defining a specific acreage to acquire during the time frame.
- The topic may be better suited for Subcommittee discussion with today’s focus being on any additional areas which may want to be deemed multi parcel projects.

Ms. Araque provided an overview of the ranking process noting:

- The Committee will rank properties to be placed on the A, B, or C list.

- An A list property will be prioritized with a 1, 2, or 3 designation with Staff immediately focusing on acquisition of the A-1 properties.
- Those properties placed on the B list will move forward to the next ranking Cycle if the owner so desires.
- Those placed on the C list will not be considered for acquisition and an owner would be required to re-apply for consideration.
- The final list as developed by the Committee will be approved and forwarded to the Board of County Commissioners for consideration.
- A Staff recommendation sheet has been provided to the Committee Members for their use in ranking the parcels.
- Public comments will be heard prior to ranking the properties.

Ms. Hennig noted Staff was contacted by the Florida Wildlife Corridor Project on their interest in locating donors for Panther Walk and Big Hammock.

Speakers

Richard Blonna, Marco Island City Council expressed support for the acquisition of the Khoury property which would double the size of Otter Mound Preserve and the parcel is highly vulnerable to development.

Brad Cornell, Audubon of the Western Everglades noted he supports all of Staff's recommendations on the ranking. He recommends acquisition of the Owl Hammock property as certain areas are vulnerable to development where 205 homes could be built. Construction of the homes would severely impact wildlife habitat given the upland lands are utilized by the Florida Panther. Acquisition would also facilitate the ability for FDOT to construct a wildlife underpass as both sides of the road need to be lands in conservation. Although the lands across the road are not currently in conservation, movement is underway to address the issue. Additionally, the acquisition would remove lands available for development credits under the Rural Lands Stewardship Area (RLSA) program allowing for a smaller developmental impact of the region.

Meredith Budd, Florida Wildlife Federation agreed with Mr. Cornell's comments on Staff recommendations and Owl Hammock. Owl Hammock is not fully protected as the RLSA is a voluntary opt in program. Developing 10 percent of the lands with 205 homes would promote sprawl development in the area and multiyear purchase phasing alternative could be investigated.

Patrick Utter, CDC Land Holdings, representing the owner of Owl Hammock noted the RLSA is an option for the parcel however under the current format, 205 homes could be constructed on the lands. There is demand for property in the area by private entities however they have no formal plans for the property. A phased sale to the County would be considered and agrees if the County acquires the property, it will reduce the overall developable footprint in the RLSA.

Ms. Hennig reported Staff's reasoning the property be placed on the A list include the lands being highly environmentally sensitive, vulnerable to impacts associated with allowable agricultural uses, HSA's and FSA's are target protection areas under the Conservation Collier ordinance, and any reduction in development due to environmental overlays would be addressed in the appraisals.

The Committee ranked the properties by straw poll on the A, B or C List with those on the A list prioritized 1, 2 or 3.

1. Brewer

The property was placed on the A-3 list.

- 2. Frank/Hothersall – Picayune State Forest**
The property was placed on the C list.
- 3. Owl Hammock – Collier Land Holdings**
The property was placed on the A-1 list.
- 4. Dr. Robert H Gore II Preserve Project (102 parcels)**
The properties were placed on the A-list as the Committee deemed the area a multi-parcel project.
- 5. McIlvane Marsh Project (2 owners)**
The Connection Investors property was placed on the B list.
The Relevant Radio property was placed on the A-3 list.
- 6. Nancy Payton Preserve Project (3 owners)**
The Sit/Williams/Chew properties were placed on the A-1 list.
The Lie property was placed on the A-1 list.
The Buckley property was based on the A-2 list.
- 7. North Belle Meade TPMA – Hoffman**
The property was placed on the B list.
- 8. Otter Mound Preserve Project – Khoury**
The property was placed on the A-1 list.
- 9. Panther Walk Preserve Project (193 parcels)**
The properties were placed on the A-list as the Committee deemed the area a multi-parcel project.
- 10. Pepper Ranch Preserve Project – English Trust**
The property was placed on the A-2 list.
- 11. Shell Island Preserve Project – Dredge Management (fka Magdalener)**
The property is on the A-3 list.
- 12. Preserve Expansion parcels**
 - a. Dr. Robert H Gore II Preserve (58 parcels)**
The Committee deemed this area a multi parcel project and to be placed on the A list.
 - b. Panther Walk Preserve (11 parcels)**
The Committee deemed this area a multi parcel project and to be placed on the A list.
- 13. Multi-parcel Projects**
 - a. Red Maple Swamp (23 parcels)**
The Committee noted Red Maple Swamp is already deemed a multi parcel project and on the A list.

b. Winchester Head (38 parcels)

The Committee noted Winchester Head is already deemed a multi parcel project and on the A list.

Ms. Patterson-Weber moved to approve the Cycle 11B Ranking List developed by the Committee as determined above. Second by Mr. Corban. Carried unanimously 9 – 0.

7. Subcommittee Reports

A. Lands Evaluation & Management – Chair, Bill Poteet – Last Meeting November 7, 2022
Chairman Poteet reported the Subcommittee discussed the Rattlesnake Management Plan and provided a recommendation for the Committees consideration.

B. Outreach – Chair, Brittany Patterson-Weber – Last Meeting November 14, 2022
Ms. Patterson-Weber noted a meeting will be held in January.

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

Chairman Poteet thanked all involved for their participation in the process.

9. Public General Comments

None

10. Staff Comments

Ms. Araque noted the March 2023 meeting will be held on March 8th and Members will be contacted via email for their availability alternate July meeting dates.

11. Next Meeting Date

January 4, 2023 at 1:00pm.

There being no further business for the good of the County, the meeting was adjourned by order of the chair at 4:32P.M.

Conservation Collier Land Acquisition Advisory Committee

William Poteet, Chairman

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