

August 6, 2025

MINUTES OF THE CONSERVATION COLLIER LAND ACQUISITION ADVISORY COMMITTEE MEETING

Naples, Florida, August 6, 2025

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
Melissa Hennig, Environmental Specialist, I
Jamie Cook, Director, Development Review Division
Sally Ashkar, Assistant County Attorney
Jennifer Belpedio, Real Property Manager
Matthew Denison, Environmental Manager
Kathlene Drew, Administrative Support Specialist, II

1. Roll Call

Chair Lenhard called the meeting to order at 9:00AM. Roll call was taken and a quorum was established with 7 Members present.

A. Approval of CCLAAC Members attending the meeting remotely

All Members were present in the Conference Room

2. Approval of Agenda

Mr. Clark moved to approve the Agenda. Second by Mr. Pearson. Carried unanimously 7 – 0.

3. Approval of the July 2, 2025 Meeting Minutes

Mr. Courtright moved to approve the minutes of the July 2, 2025 meeting as presented. Second by Mr. Clark. Carried unanimously 7– 0.

Mr. Bromley and Mr. Watkins arrived at 9:02am and a quorum of 9 was present.

4. Old Business

B. 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 for information purposes. The report will be updated monthly (last updated 5/27/25) 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 presented the PowerPoint “*Conservation Collier Acquisition Update – August 6, 2025*” for information purposes: She noted:

- Approved by the Board of County Commissioners (BCC): Cypress Cove Landkeepers (Gore Nature Center) scheduled closing 8/8/25; Lautz, closing 8/15/25; Symphony, 9/12/25; and Williams Farm, closing TBD.
- Upcoming BCC 8/26/25: HK Investments, Van Cleef and Golden Land Partners.
- Staff is holding off on 16 A-List property acquisition appraisals until the Board revises the Purchasing Policy.
- The Target Protection Mailing Area item was moved to the 8/26/25 Board of County Commissioners (BCC) Agenda.

Ms. Cook provided an update on a parcel adjacent to Everglades Airpark noting:

- The County has had interest in acquiring the parcel for at least 10 years and prior negotiations stalled with the landowner.
- Recently, the landowner approached the County with a new offer to purchase the property.
- The BCC is considering partnering any acquisition with other County Departments such as Conservation Collier, Affordable Housing (residential use), Parks and Recreation (boat ramp), etc.
- A formal offer has not been made by the County, and she will keep the Committee updated on the status of the proposed acquisition.

During Committee discussion, the following was noted:

- The parcel is not part of the airport runway facility, and no designated areas have been proposed for the partners which may be involved in the acquisition.

- The property is in flood zone VE.
- Any participation requested from Conservation Collier will be presented to the Committee via the normal acquisition process.

5. New Business

A. CCLAAC Review of Report from Collier Clerk titled “Review of Conservation Collier Land Acquisition Program”

Ms. Cook provided the document “*Review of Conservation Collier Land Acquisition Program*” Report No: SPC-2025-01 July 22, 2025” and PowerPoint “*Collier County Conservation Collier OIG Audit - CCLAAC Meeting August 6, 2025*” highlighting:

- On February 11, 2025 the BCC directed Staff to review the Conservation Collier Purchasing Policy and make any necessary changes with respect to mitigation of wetlands.
- On February 17, 2025 the Clerk’s Office of Inspector General (OIG) issued an Engagement Letter notifying the Department Head of the review of the Land Acquisition Program including the appraisal process (content, price, vendor contracts) and determining the price paid for properties compared to fair market values.
- The analysis included 26 properties with a total acquisition value of \$7,975,456.
- On July 22, 2025 the OIG released the report with 13 recommendations for the Program as follows:

Recommendation 1: The County’s Real Property Management factor mitigation costs into the County’s decision making process for purchasing land parcels as part of the Conservation Collier Land Acquisition Program.

Recommendation 2: The County’s Real Property Management establish appraisal standards disallowing the use of Collier County-purchased properties as comparable sales to ensure effective evaluation of the market and mitigate the risk of setting the price for future purchases

Recommendation 3: The County’s Real Property Management staff proactively address high variances in appraisal adjustments with third-party appraisers to enhance the County’s appraisal review process and its assessment of reasonable sales offers.

Recommendation 4: County management, in coordination with key stakeholders and staff, propose County purchasing policy (as described in Collier County Resolution 2023-10) revisions to the Board of County Commissioners to update guidelines regarding location and zoning into the Conservation Collier Land Acquisition Program’s purchasing process.

Recommendation 5: Recommendation 5: County management request a revision to the County purchasing policy (Collier County Resolution 2023-10) to allow Real Property Management staff to use the lower appraisal value as the appraised value for price negotiations.

Recommendation 6: The County’s Real Property Management evaluate landowner value estimates and existing listing prices as part of the County’s decision-making process in determining price negotiations and sales offers to mitigate potential financial risks.

Recommendation 7: The County’s Real Property Management use real estate market tools and applications to obtain current market information prior to proceeding with County land purchase offers.

August 6, 2025

Recommendation 8: The County's Real Property Management implement a formal internal review process including checking and verifying appraisal information to ensure accuracy of data and enhance its due diligence.

Recommendation 9: The County's Real Property Management evaluate internal controls to ensure offer acceptances do not exceed the 30-day acceptance period, as stipulated in the County's offer letter and policy.

Recommendation 10: The County's Real Property Management evaluate their use of appraisal values exceeding one year of the appraisal effective date and consider obtaining new comparative sales or establishing time limits for sales closure to ensure property appraisal values remain relevant to any market adjustments.

Recommendation 11: Conservation Collier staff review existing property purchase records and records management procedures to ensure compliance with the records requirements set forth in Title XI, Section 125.355 of the Florida Statutes.

Recommendation 12: County management, in coordination with key stakeholders and staff, propose County purchasing policy (as described in Collier County Resolution 2023-10) revisions to the Board of County Commissioners to require written procedures regarding third-party appraisals for any County land purchases.

Recommendation 13: The County's Real Property Management establish formal written procedures for land purchases including appraisal reviews, price negotiations, and closings to ensure maximized savings to Collier County taxpayers.

- The general conclusion is, of the \$7,975,456 expended on the 26 acquisitions, a potential savings of \$815,923 may have been a result for the taxpayers, if measures to
- address the report findings were implemented.

During Committee discussion with Staff, the following was noted:

- The properties selected for review were randomly chosen during the 2022 -2023 time period.
- The Committee recommendations should focus on are #3 involving wetlands mitigation offsets and #5, offer prices.
- With respect to #5, there was consensus the recommendation is problematic as paying no more than the lowest appraised value is not a feasible negotiating strategy.
- Concern about developing written procedures will delay the acquisition process and the application may be withdrawn by the seller.
- A buyer of a large parcel is generally aware of the required mitigation costs and assumes the responsibility.
- The current process for acquiring properties which may require remediation is suitable. Adding a requirement for a detailed analysis of the wetland/wildlife mitigation required for the potential use of a large piece of property which may be developed in a variety of ways is time consuming and difficult for the appraiser and extends the time required to complete the acquisition.

Ms. Belpedio noted there is currently a framework for the acquisition process including a checklist utilized when the appraisal is obtained to look for issues.

Speaker

August 6, 2025

Brad Cornell, Audubon of the Western Everglades and Audubon Florida agreed with the Committee's focus. Restricting the process to paying the lowest appraised value indicates the County is not a good faith negotiator and market transactions do not necessarily focus solely on the lowest appraised value and the seller's estimate. The current process considers mitigation as reasonably as possible, and it is difficult to determine the costs of mitigation on a large parcel without a site development plan developed.

During Committee discussion, the following concerns were raised:

- The difficulty in determining actual mitigation costs for wetlands/wildlife.
- Changes in the process which may delay acquisitions of property and discourage owners from utilizing the Program.
- Being locked in on the lowest appraised value when negotiating purchases.

Staff noted only properties valued greater than \$500,000 require multiple appraisals as those less only require one.

Mr. Watkins moved for the Committee to provide the following comments to the Board of County Commissioners:

- 1. They support the Report which is a useful review of the Program.*
- 2. An explanation should be provided on the rationale for the properties selected for the analysis.*
- 3. The current process for acquiring properties which may require remediation is suitable. Adding a requirement for a detailed analysis of the wetland/wildlife mitigation required for the potential use of a large piece of property which may be developed in a variety of ways is time consuming and difficult for the appraiser and extends the time required to complete the acquisition.*
- 4. The average of the 2 appraisals should be the maximum County purchase price for the parcel under consideration given the County generally initially offers less than appraised value, however Staff currently has the flexibility to negotiate the final agreement. Requiring the lowest appraised price be paid for the property may not indicate to the seller the County is negotiating the transaction in good faith and they may pursue another buyer for the property.*

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

Ms. Hennig noted the \$815,923 calculated for savings to the taxpayer includes approximately \$500,000 for properties over \$500,000 where the County did not pay the lowest of the 2 appraisals for the property. This finding does not note the prices paid for the acquisitions conformed to the policy in force at the time.

B. CCLAAC Review of revised Purchasing Policy as a result of Clerk's review (companion to 5.A.)

Ms. Cook presented the document "*A Resolution amending Resolution No. 20007-300 as amended revising the purchase policy for the acquisition of lands by the Conservation Collier lands acquisition program*" for consideration. She noted the policy has been revised based on the OIG review and provided an overview of the proposed changes. The Committee noted:

- They previously recommended the wetlands determinations costs be borne by the County, however it was not adopted by the Board of County Commissioners.
- It would be beneficial to clarify the definition of certain terms.
- Concern on automatically deducting the reconciled costs of the property which may give the seller pause in participating in the Program.

Speaker

Brad Cornell, Audubon of the Western Everglades and Audubon Florida noted the document should be reviewed and clarified regarding the appraisals as there is conflicting information in sections. He supports the existing process including the assumption multi project parcels are entirely wetlands. He recommended the following language be incorporate into *Section II.A.(1)c* as follows: *“Before the County orders any appraisal, the owner may provide an informal wetland determination for the property, no older than five years, at their sole cost and expense, unless the property has already been identified as a wetland by Conservation Collier staff for parcels of simple and clear status and based on best available data. For parcels with unclear or complicated wetland status, the County will provide an informal wetland determination, unless the parcel is part of a multi-parcel project, in which case all properties are identified and appraised as wetlands. The appraisal will not proceed until the determination is received and reviewed.”*

Mr. Watkins moved for the Committee to recommend the following to the Board of County Commissioners:

1. *Staff to clarify the definition of the terms such as initial offer, offer, purchase price, appraised value, etc.*
2. *They support the Audubon Western Everglades recommendation for a revision to Section II.A.(1)c as follows: “Before the County orders any appraisal, the owner may provide an informal wetland determination for the property, no older than five years, at their sole cost and expense, unless the property has already been identified as a wetland by Conservation Collier staff for parcels of simple and clear status and based on best available data. For parcels with unclear or complicated wetland status, the County will provide an informal wetland determination, unless the parcel is part of a multi-parcel project, in which case all properties are identified and appraised as wetlands. The appraisal will not proceed until the determination is received and reviewed.”*
3. *The initial offer amount for a parcel under consideration that costs over \$500,000 shall be no more than the lowest of the 2 appraisals.*
4. *The maximum purchase price of a property should be no greater than the average of the 2 appraisals.*
5. *They agree with the proposed changes to Sections II.A.3 and Section II.B.7.*

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

C. Conservation Collier Acquisition Fund Balance (as requested by CCLAAC July 2, 2025)

Ms. Araque provided the PowerPoint *“Conservation Collier Acquisition Budget Report”* and provided an overview of the funds for property acquisitions noting there will be \$25,108,700 available for new purchases in FY2026 (the amount is in addition to the funds already encumbered for approved purchase including Williams Farm, Lautz, Symphony, etc.). The estimate is based on projections for the upcoming budget which will be effective October 1, 2025.

6. Subcommittee Reports

- A. Lands Evaluation & Management** – Chair, Ron Clark – Next meeting October 1, 2025, - immediately following regular CLAAC meeting.
- B. Outreach** – Chair, John Courtright – Last meeting April 23, 2025
No update necessary.
- C. Ordinance Policy and Rules** – Chair, Michele Lenhard - Last meeting December 18, 2023
No update necessary.

7. Coordinator Communications

August 6, 2025

A. Miscellaneous

None

B. BCC Items Related to Conservation Collier

Ms. Araque provided the following updates:

1. Previously Heard

- a. 7/08/2025: Pepper Ranch Volunteer Host Agreement; adopt a Resolution establishing the Proposed Millage Rates as the Maximum Property Tax Rates
- b. 7/22/2025: No BCC Meeting

2. Upcoming

- a. 8/12/2025: 2025 TPMA; May & June Active Acquisition Lists
- b. 8/26/2025: Resolution Amending Resolution No. 2007-300 the Purchasing Policy for Conservation Collier; Agreement for Sale & Purchase Golden Land Partners, HK Investment & VanCleaf

8. Chair/Committee Member Comments

None

9. Public General Comments

None

10. Staff Comments

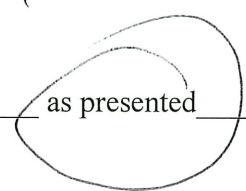
None

11. Next Meeting – September 3, 2025

There being no further business for the good of the County, the meeting was adjourned by order of the chair at 11:29AM.

Conservation Collier Land Acquisition Advisory Committee


Michele Lenhard, Chair

These minutes approved by the Committee on 8-6-25 as presented  or as amended _____.