



## **ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM PROCEDURES COMMITTEE**

### **Environmentally Endangered Lands Program Procedures Committee Meeting**

November 1, 2018

#### ***Attendance***

#### **Procedures Committee Members**

Linda Behret  
Sil Crespo  
Leesa Souto  
Diane Stees  
Kim Zarillo

#### **EEL PROGRAM STAFF**

Laura Clark  
Mike Knight

#### **GUESTS**

Paul Schmalzer, Selection and Management Committee (SMC)

## ***Meeting Minutes***

### **CALL TO ORDER**

Linda Behret, Chairman, called the meeting to order at 2:13 PM.

### **PUBLIC COMMENT**

None.

### **MINUTES**

#### **June 29, 2018 Procedures Committee (PC) minutes**

The June 29, 2018 PC minutes were presented for approval.

The following clarifications were provided:

- This set of minutes was incorrectly posted to the EEL Web site as approved during the September 5, 2018 joint meeting between the Selection and Management Committee (SMC) and the PC. However, there was no PC quorum at the September 5, 2018 meeting.
- A corrected meeting date has been added to the bottom of each page.

#### **MOTION ONE**

**Kim Zarillo moved to approve the June 29, 2018 minutes, as corrected.**

**Sil Crespo seconded the motion.**

**The motion carried unanimously.**

#### **September 5, 2018 Selection and Management Committee (SMC) and PC joint meeting minutes**

The September 5, 2018 SMC and PC joint meeting minutes were presented for approval.

The following was noted:

- Staff: Page 1 - Change the date of the minutes which were being reviewed at the September joint meeting from July 29 to June 29.
- Staff: Page 3 - Fix page break
- Diane Stees: Page 6, Action Item 1 – Change July 29 to June 29.

#### **Additional Discussion – Comment to minutes**

Paul Schmalzer noted that page 5 indicates that the 1990 EEL Program referendum was not bonded to the full \$55 million authorized by the voters. He agreed that the minutes reflected the discussion at the meeting and noted that it would be better to have the exact number that was actually bonded included in future discussions. Mike Knight agreed and confirmed staff will use the appropriate number in the future.

## **MOTION TWO**

**Kim Zarillo moved to approve the September 5, 2018 SMC/PC joint meeting minutes, as corrected.**

**Sil Crespo seconded the motion.**

**The motion carried unanimously.**

### **Additional Discussion – Board Workshop**

Sil Crespo asked about the process that would occur if an EEL Program Board Workshop was held. Mike explained that sometimes Board Workshops cover more than one topic, and generally there is a presentation and discussion. Sil asked if it would be helpful to prioritize topics that might be included in a workshop. Mike clarified he has been working on a draft presentation and staff will not do a presentation the committees do not agree with. Additional information will be provided in the future.

## **AGENDA ITEMS**

### **EEL Program Update**

Mike Knight provided an EEL Program update. A copy of the presentation is available upon request by calling the EEL Program Office (321) 255-4466.

Information was provided on the following topics:

- Land Acquisition
  - Three land exchange requests are being considered in the Grant / Valkaria mega parcel area.
  - Staff was directed to remove the term “Acquisition” from the SMC Meeting notices due to a recent comment from the D5 Commissioner at the September 25<sup>th</sup> Budget Hearing.
- EEL Program Events during September and October at the Enchanted Forest, Sams House at Pine Island Conservation Area and the Barrier Island Center.
- Eagle Scout Projects
- Staffing and Volunteers
- The Scrub-Jay video produced by the Parks Marking Coordinator is complete.
- Public Access / Eagle Scout Projects
- Staffing Vacancies
- EEL Program Funding Status
- Economic Benefit Analysis of EEL Program
- What’s next?
  - Economic Benefit Analysis
  - Committee Workshop Request Letter
  - BOCC Workshop on EEL

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- Did the EEL Program overpay for land?

### **Additional Discussion**

- The group discussed the September 25, 2018 Board of County Commissioners (BOCC) meeting which included the finalization of the millages for Fiscal Year 2019 - 2020. Mike noted that one commissioner had indicated her approval of the operational millage increase to the level which requires four votes of approval was based on her understanding that the monies would not be used for land purchases. He added that since then, there has been some perception that the EEL Program is not acquiring any more land, but that isn't necessarily the case because the Program continues to accept mitigation land donations and is actively considering several potential land exchanges. Paul and Kim noted that the comment had been made by one commissioner and not by an action of the entire BOCC. Paul noted it might also be an effort on the part of County Management to prevent SMC consideration of future acquisitions. Sill stated the Board cannot rewrite the Land Acquisition Manual. Mike stated the Board could do so, if they wanted to. Kim stated it would have to be in a Public Meeting. Paul noted that the first Land Acquisition Manual was complete before the 1990 Referendum vote and that's what was presented to the people during the referendum.
- Mike noted his impression that when those kinds of concerns have come from the County Manager, information received from the Attorney's Office has indicated information should continue to move from the SMC to the Board, which is the established process. He stated that there is no mechanism in the process for staff to stand in the way of things moving from the SMC to the Board of County Commissioners.
- Mike also provided clarification that during the distribution of the November 15, 2018 SMC meeting notice, staff was directed to revise the language of the meeting notice, which included the word "Acquisition. The group reviewed the changes. Paul stated that the word "Selection" within the committee name Selection and Management Committee specifically relates to selection of land for acquisition, which is one of the responsibilities of the SMC, as defined by the EEL Program's Land Acquisition Manual. Kim noted that any action to change the language of the Land Acquisition Manual would have to be done in a public meeting. Diane Stees spoke of the many citizens who have spent years supporting the EEL Program and who she feels will stand up for what they voted on. Kim noted it was good to have the information.
- The Florida Scrub-Jay video was reviewed. Committee members noted this version is improved over the original. Leesa Souto suggested highlighting opportunities and activities provided at EEL Program sanctuaries in the next EEL video and encouraging use of terms like "our sanctuaries" because the lands belong to the citizens.
- It was noted that the additional Homestead Exemption item did not pass. If it had, there would have been an estimated \$108,000 annual impact on the operational budget, which was anticipated to impact staffing.

- Thirty thousand dollars have been approved in next year's budget for an EEL Program economic benefit analysis. The group discussed possible topics for the study including property values, tourism, heads in beds, wildfire protection, living shoreline benefit, opportunities for development mitigation, education programs, homeschool, public events, time out in nature, Centers, ecosystem services, stormwater, aquifer protection, carbon storage, cost of services, recharge areas, species value, value of biodiversity, benefits to lagoon. Mike will continue to work on the proposal.
- Mike provided information on how the EEL Program acquisition process differs from other County Departments so that committee members might be able to enlighten others if they have conversations with folks who think the EEL Program pays too much for land. The following was noted:
  - EEL Program has authority to inspect land, order appraisals, and go through negotiations after authorization from the SMC. Then, once the SMC has approved a contract for acquisition moving forward to the BOCC, it is the BOCC who makes the final decision to acquire, or not.
  - The Program uses State certified appraisers.
  - It is difficult to compete with the private sector.
  - Any acquisition that exceeds \$750,000 is also reviewed by the Acquisition Review Committee.
  - Clarification was provided that the procedures used by the Program coincide with procedures used by the State of Florida in order to facilitate acceptance of partnership funding.
  - Diane Stees noted that this is the type of information that should be included in the Board Workshop.

## **PUBLIC COMMENT**

None.

## **NEXT MEETING**

To be determined.

## **ADJOURNED**

The meeting was adjourned at 4:05 PM.

## **SUMMARY OF MEETING MOTIONS**

1. Motion to approve the June 29, 2018 PC minutes, as corrected. APPROVED.
2. Motion to approve the September 5, 2018 SMC/PC minutes, as corrected. APPROVED.

## **ACTION ITEMS**

1. Staff will provide actual amount of dollars bonded during 1990 referendum in future discussions regarding EEL Program bonding.
2. Staff to continue to work on proposal for Economic Benefit Study.