



INDIAN RIVER COUNTY, FLORIDA
AGENDA ITEM
Department of General Services /
Parks & Recreation

Date: February 24, 2023
To: The Honorable Board of County Commissioners
Through: Michael C. Zito, Interim County Administrator
Dylan Reingold, County Attorney
Beth Powell, Director Parks and Recreation/Acting General Services Director
From: Wendy Swindell, Conservation Lands Manager
Subject: Indian River County Environmental Bond - Review Committee Selection Process

BACKGROUND:

On March 8, 2022, the County Administrator provided the Indian River County Board of County Commissioners ("BOCC") with a proposed resolution authorizing an Environmental Land Bond Referendum for the November 8, 2022 ballot. Resolution 2022-016 was passed by majority vote. The Resolution called for a Bond Referendum Election for the issuance of general obligation bonds as follows:

- To acquire and permanently preserve environmentally significant lands to restore the Indian River Lagoon, protect water resources, natural areas, wildlife habitat, drinking water resources, and construct public access improvements related thereto, shall Indian River County be authorized to issue general obligation bonds up to \$50,000,000, maturing within 20 years from each issuance, not exceeding the legal maximum interest rate, payable from ad valorem taxes, with full public disclosure of all spending through annual independent audits.

On September 20, 2022 staff presented a summary of the Updated Draft Environmental Lands Program Guide to the Indian River County Board of County Commissioners ("BOCC") in order to receive comments and direction for proceeding with the process. Comments made by the BOCC resulted in staff clarifying: (1) in Chapter II the reference to members of the review committee possessing specific "credentials" was amended to state "background and experience," and (2) in Chapter III the reference to "installment sale" with respect to methods of acquiring land was clarified to state that this method is not to be used for the acquisition of environmental lands. A final draft of the Guide with the BOCC changes was posted on the County's website.

The Referendum was passed by voters in Indian River County as part of the November 8th 2022 election process.

DESCRIPTION AND CONDITIONS:

As the Environmental Bond Program process is initiated, the BOCC will determine the composition of the group responsible for reviewing and ranking the nominated parcels. As presented in the Draft Environmental Lands Program Guide, the duties and responsibilities of the reviewing group will include the following:

- Comply with the mandate of the electorate vote in accordance with Indian River County policies enumerated herein.
- Make recommendations to the BOCC concerning modifications to the Indian River County ELP Guide to meet the needs of Indian River County.
- Present to the BOCC, for their approval, a recommended program for the purchase of environmentally significant lands.
- Investigate and consider alternative non-ad valorem-based funding sources for the purchase of environmentally significant lands.
- Receive and review individual proposals nominated for purchase in accordance with the criteria established in this ELP Guide.
- Create an annual summary for land acquisition in accordance with the criteria established in this ELP Guide from which due diligence investigations and purchase negotiations shall be commenced. The project summary shall carry over those sites still under consideration from the previous year's cycle.
- Based upon a staff report, make recommendations to the BOCC concerning the acquisition of Environmentally Significant sites. The ELAP's recommendation shall specifically identify the land and interest therein to be acquired, and features of the land that meet (and don't meet) the selection criteria set forth in this ELP Guide.
- Make use and management recommendations to the BOCC regarding environmentally significant lands to be protected.
- The ELAP shall conduct an annual review and evaluation of the environmentally significant lands being considered for acquisition based on the results of purchase negotiations, funding opportunities with State and Federal preservation programs and the criteria established by this ELP Guide, reprioritize same, add new sites or delete sites, and provide a written report of results thereof to the BOCC.

The 2022 Draft ELP Guide proposed formation of an Environmental Lands Acquisition Panel (ELAP), with the following composition:

- One (1) appointee residing in each of the five districts by their respective County Commissioner
- Four (4) members "at large" with professional credentials and affiliations.

The Draft ELP Guide presents that the four "at large" members be selected from the following three categories:

- Two (2) members with a broad background and professional experience in Natural Resources
- One (1) member with extensive professional experience in Real Estate or Finance
- One (1) member with extensive professional experience in Planning or Engineering

To further the objectives of Resolution 2022-016 and initiate the Environmental Lands Acquisition process, the BOCC will need to provide their designated district appointee to serve on the ELAP. In addition, the application process for the 4 “at large” positions should be initiated.

RECOMMENDATION:

Staff respectfully recommends that the Board provide a timeline for providing the five (5) designated district appointees to the ELAP to the County Attorney’s office. Additionally, it is recommended that the Board initiate the application process for selection of the (4) “at large” positions on the ELAP. Staff will assemble the list of applications and present the list at a future BOCC meeting for consideration. Staff respectfully requests that the BOCC provide direction on the timeframe for approval of the ELAP members.

APPROVED AGENDA ITEM FOR MARCH 7, 2023