

RESOLUTION NO. 2024-_____

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
INDIAN RIVER COUNTY, FLORIDA, APPROVING AND ACCEPTING
THE FINAL ENVIRONMENTAL LANDS PROGRAM GUIDE, AND
ESTABLISHING THE ENVIRONMENTAL LANDS ACQUISITION
PANEL.**

WHEREAS, the Board of County Commissioners created and restructured the Land Acquisition Advisory Committee to purchase and preserve environmentally significant land by Resolutions 90-104, 92-58, and 2003-130; and

WHEREAS, the Board of County Commissioners in times of economic downturn dissolved and sunsetted numerous advisory committees including the Land Acquisition Advisory Committee by Resolution 2010-034 ; and

WHEREAS, on February 28, 2022, the Board of County Commissioners directed staff to update the Environmental Lands Program Guide to start acquiring environmentally significant land once more; and

WHEREAS, the Environmental Lands Program Guide has been updated and finalized; and

WHEREAS, Section II of the Environmental Lands Program Guide calls for the creation of the Environmental Lands Acquisition Panel (ELAP) pursuant to a Resolution of the Board of County Commissioners; and

WHEREAS, it is the will of the Board of County Commissioners to accept and approve the finalized Environmental Lands Program Guide and establish the Environmental Lands Acquisitional Panel to serve as an advisory Board to the Board of County Commissioners in the purchase of environmentally significant lands to be preserved.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, that:

1. ACCEPTANCE AND APPROVAL OF GUIDE
The Environmental Lands Program Guide is hereby accepted and approved by the Board of County Commissioners.
2. ESTABLISHMENT OF ENVIRONMENTAL LANDS ACQUISITION PANEL (ELAP)

There is hereby established an Environmental Land Acquisition Panel to be composed of 9 members.

A. MEMBERSHIP OF PANEL, AND QUORUM
Membership and Quorum is as follows:

- i. 5 members consisting of 1 appointee residing in each of the five districts by their respective County Commissioner.
- ii. 4 at large members with professional credentials as follows:

- a. 2 members with a broad background and professional experience in Natural Resources.
 - b. 1 member with extensive professional experience in Real Estate or Finance.
 - c. 1 member with extensive experience in Planning or Engineering.
- iii. The Presence of 6 members out of 9 shall constitute a quorum for business to be conducted.

B. TERM OF OFFICE

The Term of each appointment shall be 4 years. Members may serve until their successor is appointed. Members may be reappointed. Vacancies shall be filled for the unexpired term.

All appointments shall be from the first meeting of that board in January of each odd-numbered year with the terms staggered so that the number of people appointed shall be equal or in proportion to the number of commission seats normally filled in the previous election. To the extent that a member is appointed by a single county commissioner, that member's term shall commence in January following the election of the commissioner.

C. PURPOSE OF ELAP

The purpose of ELAP shall be to:

- I. Advise the Board of County Commissioners on utilizing the bond funds for the purchase of environmentally significant lands that further the goals and objectives outlined in the Indian River County 2030 Comprehensive plan.
- II. Establish, pursuant to the Environmental Lands Program Guide, priorities for Commission consideration in connection with future land acquisition.
- III. Review and comment on the development of use and management recommendations for consideration by the Commission with regard to environmentally significant lands to be protected.
- IV. Make recommendations regarding cost-share funding alternatives to leverage bond referendum monies.
- V. Take such other actions as are as consistent and necessary in accordance with criteria established in the Environmental Lands Program Guide.

D. DUTIES AND RESPONSABILITIES OF ELAP

- I. Comply with the mandate of the electorate vote in accordance with Indian River County policies.
- II. Make recommendations to the Board Of County Commissioners concerning modifications to the Indian River County Environmental Lands Program Guide to meet the needs of Indian River County.
- III. Present to the Board Of County Commissioners, for their approval, a recommended program for the purchase of environmentally significant lands.
- IV. Investigate and consider alternative non-ad valorem-based funding sources for the purchase of environmentally significant lands.
- V. Receive and review individual proposals nominated for purchase in accordance with the criteria established in the Environmental Lands Program Guide.

- VI. Create an annual summary for land acquisition in accordance with the criteria established in the Environmental Lands Program Guide from which due diligence investigations and purchase negotiations shall be commended. The Project summary shall carry over those sites still under consideration from previous year's cycle.
- VII. Make recommendations to the Board Of County Commissioners concerning the acquisition of Environmentally significant sites. The recommendations 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 the Environmental Lands Program Guide.
- VIII. Make use and management recommendations to the Board Of County Commissioners regarding environmentally significant lands to be protected.
- IX. 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 the Environmental Lands Program Guide, reprioritized same, add new sites or delete sites, and provide a written report of results thereof to the Board of County Commissioners.

E. ADVISORY STATUS

The Environmental Lands Acquisition Panel shall be advisory only and the members shall serve without compensation.

F. REMOVAL

Members shall serve at the pleasure of the County Commission. To the extent that a member is appointed by a single commissioner, the member shall serve at the pleasure of the appointing commissioner or if appointed by a group at the pleasure of that group.

The absence of any member from 3 consecutive meetings without approval of the ELAP shall constitute an abandonment of the office by such member and removal of such member shall be sought.

G. GENERAL PROVISIONS

Except as provided herein, the provisions of Section 103.02 of the Indian River County Code of Ordinances shall apply to the Environmental Lands Acquisition Panel.

The foregoing resolution was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____ and, upon being put to a vote, the vote was as follows:

Chairman Susan Adams	_____
Vice-Chairman Joseph E. Flescher	_____
Commissioner Joseph Earman	_____
Commissioner Deryl Loar	_____
Commissioner Laura Moss	_____

The Chairman thereupon declared the resolution passed and adopted this ____ day of June, 2024.

BOARD OF COUNTY COMMISSSIONERS
OF INDIAN RIVER COUNTY, FLORIDA

By _____
Susan Adams, Chairman

Attest: Ryan L. Butler, Clerk of Court
and Comptroller

By: _____
Deputy Clerk

Approved as to Form and Legal Sufficiency

Susan J. Prado, Deputy County Attorney