



Inspector General Insights

Background: The mission of Conservation Collier (CC) is to acquire, preserve, restore, and maintain vital and significant threatened natural lands, forest, upland, and wetland communities located in Collier County, for the benefit of present and future generations. Since 2003, the CC Program has been acquiring properties of high natural resource value throughout Collier County from willing sellers. Properties acquired must meet specific criteria including rare habitat, aquifer recharge, flood control, water quality protection, and listed species habitat. At the program's inception, the Collier County Board of County Commissioners (BCC), appointed a Land Acquisition Advisory Committee (CCLAAC) to consider and make recommendations on offered properties. The Committee's recommendations have resulted in Board approval for and acquisition of locations throughout Collier County.

This potential acquisition on Marco Island was rated as an "A" property by the CCLAAC based on the defined criteria, and it was chosen to move forward for review by the BCC on January 25, 2022. On July 1, 2022, the .39-acre property at 507 Inlet Drive was appraised at \$419,000. In February 2023, the same appraiser updated his report to clarify environmental features of the property, including the presence of gopher tortoises, resulting in an updated appraisal of \$429,000. This property is located adjacent to a large property owned by an affiliate of the Seller.



At the April 25, 2023, BCC meeting, the Seller would not accept an offer of \$419,000, and the BCC voted 3-2 to deny the acquisition of this property at that price. The Board brought the potential purchase up again at the July 25, 2023, BCC meeting, given an incentive by the City of Marco Island to pay the additional \$10,000. After considerable discussion, the Chair's motion to purchase the property at \$429,000 was not seconded, and therefore the acquisition failed.

Objective: The Office of Inspector General (OIG) elected to review the compliance of the proposed purchase with Conservation Collier policies and procedures, and to review the potential impact of accepting funds from City of Marco Island.

Scope / Methodology: We reviewed the CC policies, processes, and purchases since 2004 and appraisals and BCC minutes regarding purchases beginning in 2022.

Observation: In the course of our review, we noted the following:

The proposed purchase complied with most of the CC policies/procedures:

- Ranked by staff as a priority A project (actively pursue purchase) based on the 5 criteria identified in the related County Ordinance. Examples of criteria cited in the ordinance include land with the most rare, unique, and endangered habitats, land offering the best human social values, land which protects the most water resource values, land containing the most biodiversity and land that protects the environmental value as a buffer, ecological link, or habitat corridor.
- Approved by the Land Acquisition Advisory Committee using secondary ranking criteria based on site visit information which confirms or refutes the initial screening criteria evaluation and based on comparative size, vulnerability to destruction, overall resource ecological quality and estimated feasibility and cost of management.
- Offered to negotiate with seller, consistent with CC policy. The current policy, modified in January 2023, is to pay no more than the appraised value but enabled CC to offer less than the appraised value.
- However, the current policy for the acquisition of lands by the CC land acquisition program states that, "Should the offer not be accepted by the owner within the thirty (30) day acceptance period, no further contact will be initiated by the Real Estate Services staff in respect to that offer. If the owner again contacts the County before six (6) months has elapsed from expiration of the offer, offering to sell the same property, the same offer can again be made upon certification of the existing appraisal by the County's Real Estate Appraiser." In this case, the initial offer by the BCC was rejected by the seller on April 25, 2023, approximately 3 months before the property was brought up for consideration again on July 25, 2023. The agenda item, which was initiated by a County Commissioner, noted a request to waive the reconsideration requirements for this item.

The Board actively considered items which affected the value of the purchase:

- The property was appraised at \$25/square foot (\$1.1 million per acre), while the average price paid for CC properties since it was enacted averaged \$23,935/acre.
- There has been a vast range of acquired property price per acre, from a low of \$2,500 per acre to \$1.3 million per acre, spanning 365 acquisitions from 2004 – 2022, with the most expensive properties being acquired in years 2008 and prior.
- The most recent appraisal revealed there were an estimated 28 gopher tortoises on the property and with a cost of \$7,000 per tortoise to remove, the appraised value of the property was decreased by \$196,000.

- This tortoise removal cost was factored into the appraisal of the property, which was appraised at its highest and best use, of building a single-family home.
- The Board considered the potential precedent of accepting funds from Marco Island in the amount of \$10,000 which would cover the difference from the initial appraisal of \$419,000 and updated appraisal of \$429,000. This idea was rejected by the BCC, given that funding for CC is derived from the 25 cents per \$1,000 of assessed property value which is already levied on Marco Island residents. The Commissioners thought that Marco Island residents would, effectively, be paying twice if the offer was accepted.

OIG also noted that the same seller had land located at 1810 Dade Court, Marco Island, which was offered to CC. As a result of the CC property evaluation process, as part of cycle 10, in January 2022, a decision was made by CC, to not move forward with a purchase.

Conclusion: In all proposed purchases for the seller’s properties, the CC policies were followed or noted as a request to waive the policy. In regard to the purchase proposed to the Board, the BCC actively considered all items of note. As the proposed purchase was declined by the BCC, the issue of accepting funds from Marco was moot.

Total # Transactions	Amounts Audited or Reviewed	Questioned Costs	Taxpayer Savings	# Recommendations
1	\$ 429,000	N/A	N/A	None