



**FLORIDA COMMUNITIES TRUST
BOARD MEETING**

Conference Call Number: 1(888) 670-3525
Participant Code: 2255967442, then #

AGENDA

- 9:30 AM **Call to Order** **Chairman Andrew Fleener**
- Welcome and Introductions** **Chairman Andrew Fleener**
- Action Items**
- Item 1: Approval of August 17, 2017 Minutes** **Chairman Andrew Fleener**
- Item 2: Approval of Upcoming Board Meeting Dates 2018** **Chairman Andrew Fleener**
- Item 3: Approval of FCT Delegations** **Lois LaSeur**
- Item 4: Approval of Jensen Beach Impoundment Boundary Modification (FCT # 03-004-FF3), Martin County** **Bill Bibby**
- Informational Items:**
- Item 5: UA17 Applications Update** **Bill Bibby**
- Item 6: Annual Report Update** **Bill Bibby**
- Item 7: Update on Jetta Point Park Land Exchange Request (FCT# 03-055-FF3), Seminole County** **Marjorie Karter**
- Item 8: Update on Stan Mayfield Working Waterfronts** **Bill Bibby**
- Item 9: Update on Three Sisters Springs (FCT #08-088-FF8), City of Crystal River** **Bill Bibby**

Item 10: Update on 1912 Cortez Schoolhouse & Nature Preserve Request for Linear Facilities (FCT #98-009-P8A), Manatee County **Bill Bibby**

Status of Acquisitions

Item 11: Lake Dan Preserve Phase II, (FCT #11-046-FF11), Hillsborough County **Bill Bibby**

Item 12: Lake May Reserve (FCT #11-007-FF11), Lake County **Marjorie Karter**

Item 13: Sebastian Harbor Preserve (FCT #11-050-FF11), Indian River County **Bill Bibby**

Public Comment **Chairman Andrew Fleener**

10:30 AM Adjournment **Chairman Andrew Fleener**

Appendices

ACTION ITEMS

ITEM 1

Approval of August 17, 2017 Minutes

Florida Communities Trust Governing Board Meeting Minutes August 17, 2017

Members Present

David Clark, DEP Division of State Lands Director (for Gary Clark), Chair
Lynda Bell
Erick Lindblad (via telephone)
Greg Jones (via telephone)

Others Present

Bryan Bradner, DEP Office of Operations Director
Rebecca Wood, DEP Office of Operations
Rita Ventry, FCT Staff
Bill Bibby, FCT Staff
Arnold LaBoy, FCT Staff
Lois LaSeur, DEP Senior Attorney
Marjorie Karter, DEP Division of State Lands

Call to Order

Chairman Clark called the August 17, 2017, meeting of the Florida Communities Trust Governing Board (Board) to order at 9:43 a.m.

Welcome and Introductions

Chairman David Clark introduced himself and stated that Gary Clark had a scheduling conflict and was unable to attend. Chairman Clark welcomed those present and asked Staff to introduce themselves. There were no announcements.

Action Items

Item 1: Approval of June 15, 2017 Minutes

Chairman Clark presented the minutes from the June 15, 2017, FCT Governing Board meeting. **Lynda Bell moved that the Board approve the minutes, with Greg Jones seconding. The motion passed unanimously.**

Item 2: Approval of Upcoming Board Meeting Dates 2017

Chairman Clark presented the remaining date for 2017: November 15, 2017. Erick Lindblad stated that he had a conflict with that date. There was no motion on this item. Staff will work to find another date.

Item 3: Approval of Upcoming Board Meeting Dates 2018

Chairman Clark presented the proposed Board meeting dates for 2018: February 8, 2018; May 17, 2018; August 16, 2018; November 15, 2018. **Lynda Bell moved to approve the dates, with Erick Lindblad seconding. The motion passed unanimously.**

Informational Items

Item 4: UA 17 Applications Update

Bill Bibby provided an update on the 2017 Unique Abilities funding cycle. Pre-Acquired Grant Agreement template is completed. The partial pre-acquired and reimbursement templates are being drafted. First pre-acquired grant agreement was sent to the grantee for execution (FCT# 16-012-US17 – St. Lucie County, Myers-Stickel Property). We are awaiting the return of the executed agreement from the grantee. The goal is to have all projects under contract by the end of the calendar year.

Erick Lindblad stated that this was showing good progress.

Item 5: Annual Report Update

Bill Bibby informed the Board that FCT Staff are required by statute to prepare an annual report of FCT program activities for the Governor and Cabinet. Again, by statute, this report is due by August 31 of each year. Staff has been working on this report for several weeks. The only missing piece is the report of financial activities which is provided by DEP Finance and Accounting. Staff anticipates meeting or beating the deadline for this report.

Item 6: Update on Jetta Point Park, Seminole County (FCT # 03-055-FF3) Land Exchange Request

Rita Ventry informed the Board that Seminole County had submitted a Phase2 Environmental Site Assessment (ESA). DEP Staff in the Division of State Lands had issues with the ESA. Seminole County provided a scope of work to address these issues. DEP approved the scope of work on July 17, 2017. We are now waiting for Seminole County to respond to questions.

Lynda Bell asked if a motion was required at this time. Ms. Ventry replied that a motion was not yet required. Seminole County must resolve issues with DEP (related to the finding of the ESAs) before we address the land exchange request.

Status of Acquisitions

Item 7: Lake Dan Preserve Phase II, (FCT# 11-046-FF11) Hillsborough County

Bill Bibby reported that the Board has approved an extension to this grant agreement in the April Board Meeting. The extension was granted to allow Hillsborough County sufficient time to work through pre-existing utility easements on the property. The Tampa Bay Water Authority (Tampa Bay Water) has a number of well sites on the property. The County has come to terms with Tampa Bay Water. FCT has approved license agreements between the County and Tampa

Bay Water. Hillsborough County anticipates being able to close on the property before the end of the calendar year.

Item 8: Lake May Reserve (FCT # 11-007-FF11), Lake County

Rita Ventry reported that the grant agreement was executed on July 28. FCT Staff is now in the process of getting all due diligence products (survey, appraisal, ESA) reviewed and approved by the DEP Division of State Lands. Once these products are approved, we will be ready to move forward with acquisition.

Item 9: Sebastian Harbor Preserve (FCT# 11-050-FF11), Indian River County

Rita Ventry stated that the project is not yet under contract. The DEP Division of State Lands is reviewing the due diligence products submitted for this project to see if any need to be updated. Once we have approved due diligence products for this project, we will move forward with bringing it under contract.

Chairman Clark inquired about the timeline for this project. Ms. Ventry replied that the DSL review of due diligence products would happen this week. FCT Staff will move forward based on the results of this review.

Item 10: Stock Island Working Waterfronts (Stan Mayfield Working Waterfronts Project # 08-001-WW1), Monroe County

Bill Bibby reported that this project was ended. The property was sold to a private buyer. FCT has been told that the new owner is a commercial fisherman who intends to use the property for commercial fishing purposes. But the property is no longer available for purchase under the Stan Mayfield Working Waterfronts program.

Erick Lindblad asked if there were other Working Waterfronts projects that might be supported with the funds from this project. Mr. Bibby replied that there were no other eligible Working Waterfront projects remaining. The status of these funds will be determined through DEP's state budgeting process. We hope to have an answer in the coming months, but that process is still under review by DEP.

Mr. Lindblad inquired if there were an avenue by which the Board could make it known to DEP that the Board desires that these funds be used for the Stan Mayfield Working Waterfronts program. Chairman Clark responded that he would advance the Board's position on this matter to DEP leadership.

Lynda Bell asked about the reason for the private sale rather than sale of the site to Monroe County through the Working Waterfronts program. Mr. Bibby responded that the property owner had issues with some of DEP's land acquisition rules. In particular, the 120-day closing requirement. The private buyer was able to close in a matter of days.

Lois LaSeur (DEP Senior Attorney) further responded that the property was assigned to a court-appointed receiver. The receiver was empowered to sell the property. The receiver's thought was to sell the property as quickly as possible. DEP's land buying requirements, such as due diligence products and the 120-day closing requirement are mandated by administrative rule. The receiver found a private buyer who was able to close very quickly with a cash purchase.

Public Comment

There was no public comment.

Adjournment

Lynda Bell moved to adjourn the meeting, with Erick Lindblad seconding. Approved unanimously.

Chairman Clark adjourned the meeting at 10:07 a.m.

ITEM 2

Approval of Upcoming FCT Governing Board Meeting Dates 2018

| | |
|---------------------------|--|
| February 8, 2018: | Regular Quarterly Governing Board Meeting |
| May 17, 2018: | Regular Quarterly Governing Board Meeting |
| August 16, 2018: | Regular Quarterly Governing Board Meeting |
| November 15, 2018: | Regular Quarterly Governing Board Meeting |

ITEM 3

Approval of FCT Delegations

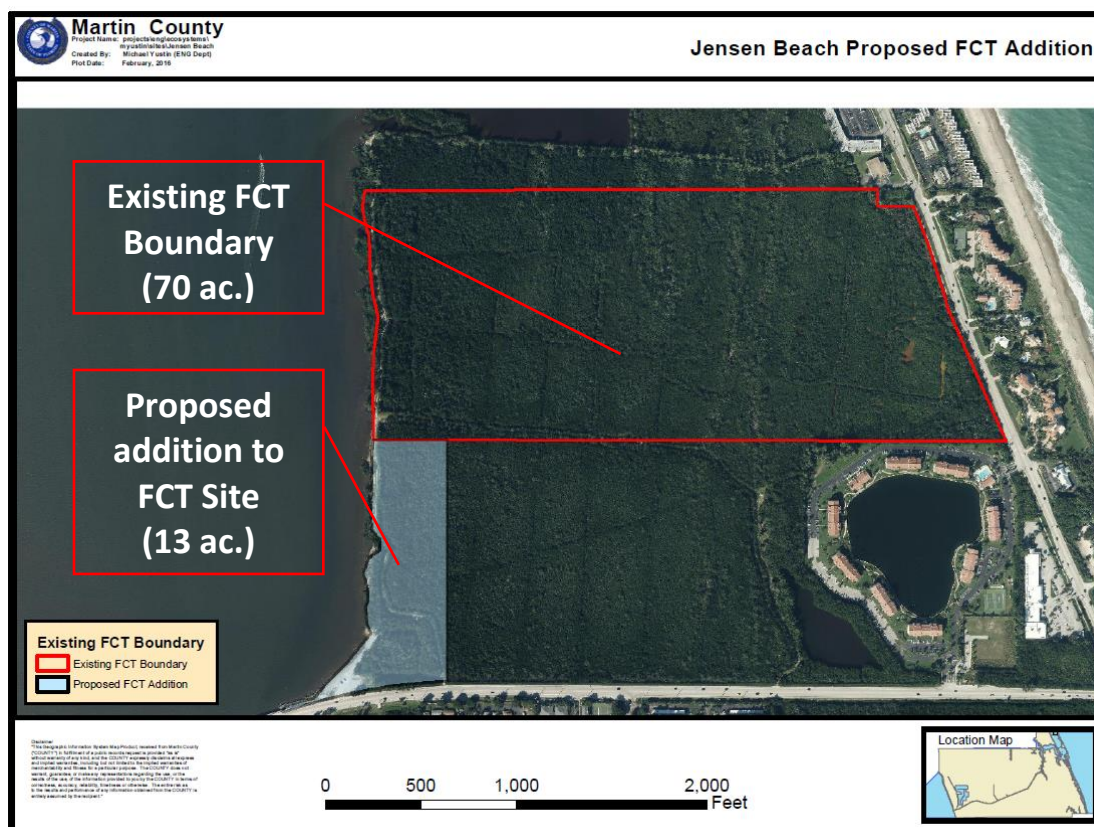
Report from Lois LaSeur

ITEM 4

Approval of Jensen Beach Impoundment Boundary Modification (FCT # 03-004-FF3), Martin County

Report to the Florida Communities Trust Governing Board Jensen Beach Impoundment FCT #03-004-FF3 Regarding the Recipient's Request for Boundary Modification

This report is prepared for the FCT Governing Board as per 62-818.014(3), F.A.C.



Summary

Recipient Martin County has requested a boundary modification to the Jensen Beach Impoundment, FCT #03-004-FF3. This modification would expand the FCT project site boundary to include an area where recreational use and access infrastructure required in the Management Plan for this FCT site has already been developed by the County. This boundary modification would have the effect of completing much of the County's requirements to install recreational elements on the project site as per its adopted Special Management Conditions for the site.

This proposed modification increases the 70-acre site by 13 acres. It is not considered controversial. It does not lower the FCT score attributed to this site's selection.

History and Background

This issue has been in discussion among FCT Staff for quite some time. In 2016, former FCT staff Misty Penton initially worked with Martin County on this request. Ms. Penton held discussions with Martin County staff and conducted a site visit to view the property in question. Ms. Penton determined that "After a thorough review, discussion and site visit tour of the landscape management needs, permitting requirements, and park amenities available for public utilization, FCT Staff is in agreement with Martin County, the best solution will be to modify the FCT GAA to add the additional adjacent county park acreage to include a kayak/canoe launch, bike rack, parking area, and nature trail." This would be accomplished pursuant to 62-818.014 F.A.C, Modification to Expand the Project Boundary.

After Ms. Penton's departure from FCT in August of 2016, Jennifer Carver assumed responsibility for working with Martin County on this issue. Ms. Carver requested and received additional documentation. The complete documentation submitted by Martin County is as follows:

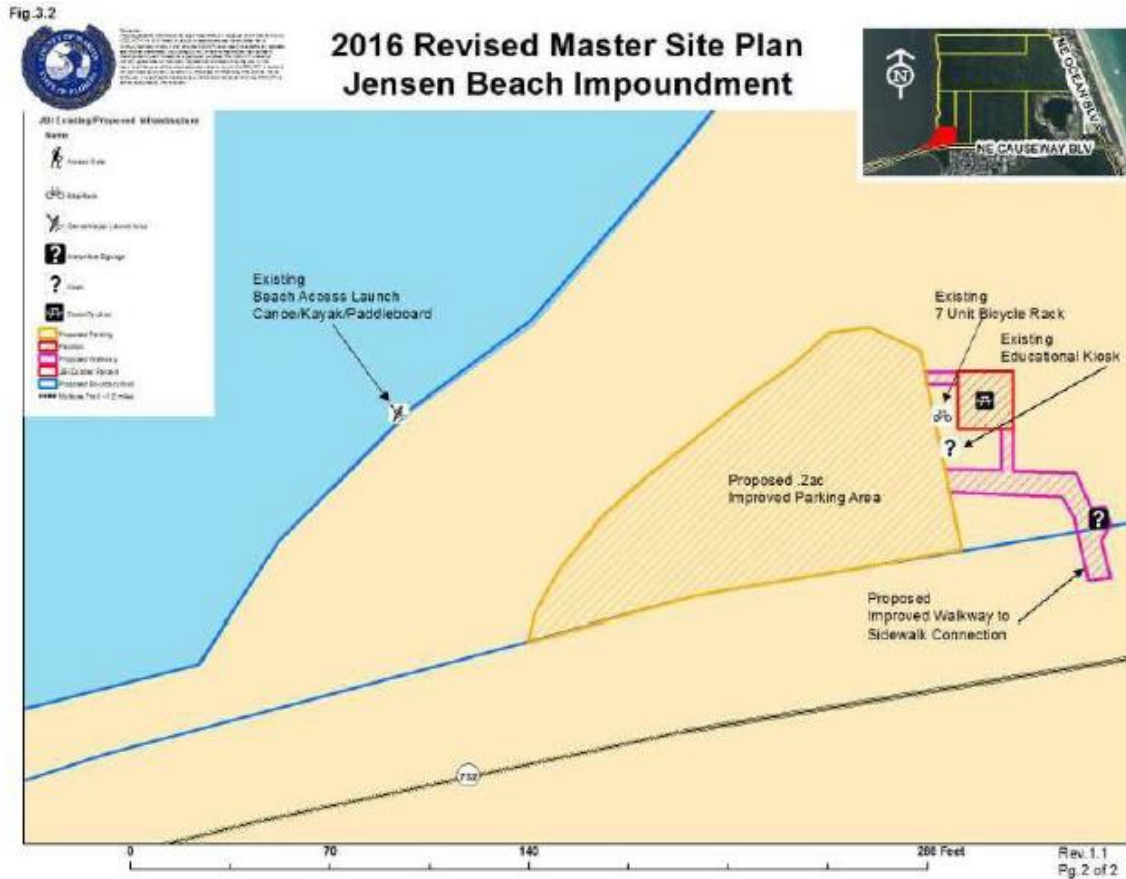
- Draft amendment to Grant Award Agreement
- Conceptual Master Plan for the additional property
- Phase 1 ESA
- Title Commitment / Insurance
- Survey of property
- Revised Site Plan
- Legal description of the property to be acquired
- Revised FCT Application Form
 - Added the additional acreage
 - Increased the local match amount to indicate the land value
 - Indicated no change in the project point total

Ms. Carver conducted a site visit in March of 2017. After her departure in August 2017, Bill Bibby assumed responsibility for this issue. All documents submitted by Martin County have been reviewed and accepted by FCT legal counsel.

Regarding required recreational elements, this Boundary Modification would have the effect demonstrated in the following table:

| Recreational Element – as required by FCT per the Special Management Conditions | Included on Existing Site | Already situated on 13-Acre Addition |
|--|----------------------------------|---|
| Bike Rack | | X |
| Parking Area -- unimproved, but in the County's CIP for improvements. Design funds budgeted. | | X |
| Canoe/Kayak Launch | | X |
| Nature Trails | X | X |

These facilities are noted on the following Site Plan, submitted by Martin County:



Staff Recommendation

We are ready to submit to the Board this request with FCT Staff recommendation. Rule 62-818.014(3), F.A.C. requires that Staff prepares a report to the Board that addresses four criteria. Each criterion is listed below, along with Staff response:

(a) Is the proposed boundary modification consistent with the purpose and intent of the original application?

The proposed boundary modification remains consistent with the intent and purpose of the original Florida Communities Trust grant application for the Jensen Beach Impoundment Property; FCT 03-004-FF3. As stated in the 2003 application, the acquisition of the Jensen Beach Impoundment parcels would “enhance Martin County’s ability to protect the valuable habitat while providing for additional river access” for the general public. Additionally, the boundary modification would facilitate the achievement of the originally proposed project objectives and management of “protecting the Indian River Lagoon”, “protecting listed species habitat, providing public access for passive recreational purposes,” and the

“preservation of sensitive mangrove habitat”. FCT Staff has determined that the request meets this criterion.

(b) Will the proposed boundary modification facilitate acquisition of the overall project site?

Since the project site is already acquired by the County, and the proposed addition is under county ownership as well, FCT Staff has determined that this this criterion is moot.

(c) Will the proposed boundary modification change the final project score if it had been part of the original application, and would the revised score result in a change to the funding status of the project?

FCT Staff re-scored the full project application taking into account the expanded project boundary. This re-scoring resulted in no change to the point total for this project. Thus, FCT staff has determined that the request meets this criterion.

(d) Does the trust have additional funds available to cover any additional project cost and does the increase in Trust award exceed the award limit?

This project does not increase the grant award amount to Martin County. This does increase Martin County’s match amount in this project. The increase in match reflects the land value of the parcel to be acquired. FCT Staff has determined that the request meets this criterion.

Thus, FCT Staff recommends that the Governing Board approve this request for boundary modification. Should the Board concur and grant this approval, FCT Staff will prepare an amendment to the Declaration of Restrictive Covenants for execution as per delegation of authority. The amendment will reflect the expanded boundary.

INFORMATIONAL ITEMS

ITEM 5

UA17 Applications Update

Pre-Acquired Projects

FCT # 16-012-UA17

Myers Stickel Property

St. Lucie County Board of County Commissioners

Status:

The Grant Agreement was sent to Recipient St. Lucie County for execution. County action was delayed by Hurricane Irma and associated recovery efforts. County expects to execute and return the agreement by mid-November.

16-007-UA17

Losner Park

City of Homestead

Status:

The project site appraised at less than the requested grant amount. The Recipient was informed that they will only be reimbursed the amount of the appraisal.

The City executed and returned the Grant Agreement which has been routed for execution by the DEP Secretary as per our Delegations of Authority.

16-013-UA17

Cypress Creek Preserve

St. Lucie County Board of County Commissioners

Status:

Two appraisals were submitted. However, one of the two was prepared by an appraiser not on the Division of State Lands approved list of appraisers. The County was required to submit a replacement appraisal prepared by an approved appraiser. The replacement appraisal is due by mid-November. The Grant Agreement was sent to the County for execution.

16-008-UA17

Round Lake Park Addition

City of Oviedo

Status:

The site was purchased by the City with no due diligence products (appraisal, survey, etc.). City was instructed to submit an appraisal prepared by an appraiser on the Division of State Lands approved list. The Grant Agreement was sent to the City for execution.

16-014-UA17

Ocean Hammock Park Phase II

City of St. Augustine Beach

Status:

Appraisal was submitted, but it was prepared on behalf of the seller, not for the City as the buyer. City was instructed to submit an appraisal prepared by an appraiser on the Division of State Lands approved list. The Grant Agreement was sent to the City for execution.

16-006-UA17

Hampton Lane

Village of Key Biscayne

Status:

Some due diligence documents are missing. Staff requested a certified copy of a survey for the property. We also need two appraisals, a Phase I ESA, and title commitment. The Grant Agreement was sent to the Village for execution.

Partial Pre-Acquired Projects

16-016-UA17

Upper Santa Fe River Corridor

Alachua Conservation Trust, Inc.

Status:

The Recipient bought three parcels 11/25/15. Due diligence products sent in 9/27/17 and forwarded to Marjorie. Eight parcels are being negotiated for an extension to close on 11/20/17. The template for the Grant Agreement is being drafted and will be forwarded to the Recipient.

16-011-UA17

Downtown Play Park

City of Oakland Park

Status:

Gathering due diligence products. Email sent 10/2/17 to City stating what will be needed on the parcels not acquired yet. FCT received due diligence documents on the two parcels already purchased. The appraisal came in \$131,200 under what the Recipient already paid. Rita Ventry and Marjorie Karter advised the Recipient that FCT could not reimburse over appraised value. The template for the Grant Agreement is being drafted and will be forwarded to the City.

Joint Acquisition Projects

16-015-UA17

City Center Barrier Free Park

City of Freeport

Status:

A template agreement for joint acquisition projects is currently under development. Once this template is ready, the Grant Agreement will be forwarded to the City for execution.

16-010-UA17
School Board Property
City of Sanford
Status:

This project is on hold pending resolution by the City regarding compliance issues with other Department grant projects.

Reimbursement Projects

16-005-UA17
Victory Pointe (f.k.a. West Lake Wetlands)
City of Clermont
Status:

Two appraisals were requested, due 10/27/17. City submitted appraisals earlier. These were not accepted. One appraisal was performed on behalf of the seller - other was performed by an appraiser not on the DSL list. The Grant Agreement was sent to the City for execution.

16-002-UA17
Ludlam Trail Land Acquisition
City of Miami
Status:

Since FCT was appropriated \$10M in funding, this project is the last applicant on the priority list for which funds are available. We will wait to bring this project under contract until we know exactly how much funding is available. As other projects close, there may be funds left over. Any such "leftover" funds will be applied to this project.

ITEM 6

Annual Report Update

The 2016-17 FCT Annual Report was completed and submitted to the Florida Legislature. A copy is provided in your Board packet.



ITEM 7

Update on Jetta Point Park Land Exchange Request (FCT# 03-055-FF3), Seminole County

FDEP and E Science continue to work together on data collection and analysis to determine the extent and source of contamination on the Rolling Hills Golf Course in Seminole County. In October, Seminole County submitted to FDEP "E Science's response to FDEP's comments and scope of work for additional assessment dated August 28, 2017. FDEP advised Seminole County that E Science's proposed implementation of additional site assessment work detailed in its submittal is considered adequate to complete the delineating of soil and groundwater contamination.



07-2006 updated site plan

ITEM 8

Stan Mayfield Working Waterfronts Update

As reported in August, the Stock Island Maritime Facility proposal was terminated. A court-appointed receiver was placed over the subject property and the receiver chose to sell the property to a private buyer.

There are no Working Waterfronts projects left from the original pool of applicants.

FCT anticipates another Working Waterfronts application cycle at the conclusion of the upcoming legislative session.

ITEM 9

Update on Three Sisters Springs (FCT # 08-088-FF8), City of Crystal River

The City of Crystal River has initiated discussion to end its management agreement with the U.S. Fish and Wildlife Service.

The Board previously advised Staff should only provide technical assistance to the City and the terms of any management agreement is the responsibility of the City. Once that is resolved, FCT will work with the party managing the site to ensure compliance with FCT revenue reporting and Stewardship requirements.



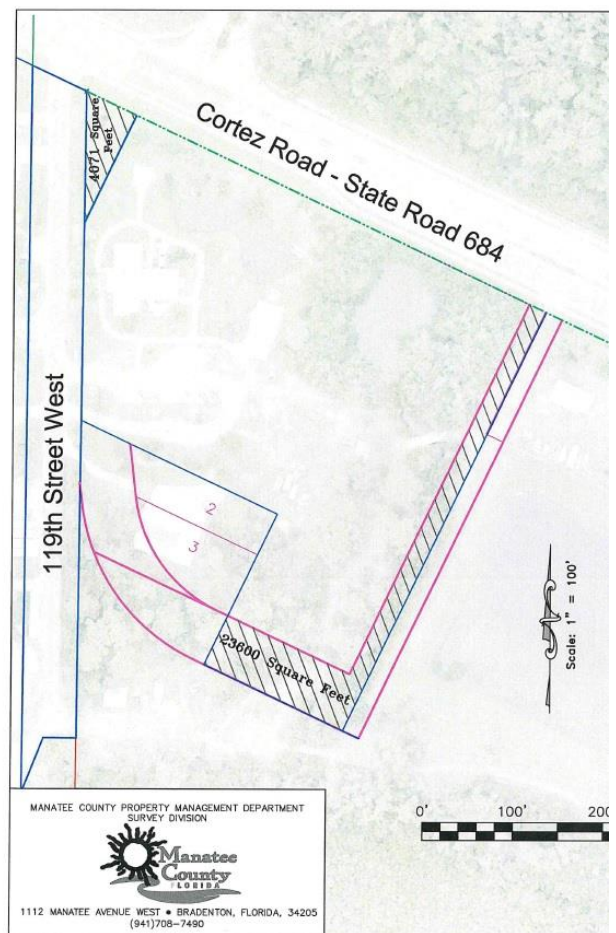
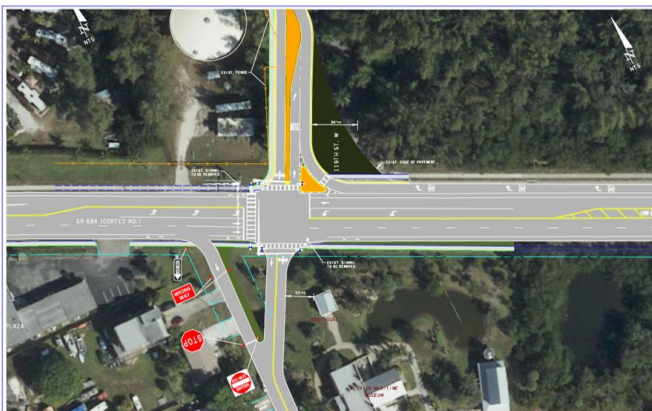
ITEM 10

Update on 1912 Cortez Schoolhouse & Nature Preserve Request for Linear Facilities (FCT #98-009-P8A), Manatee County

Work on this project is progressing. Recipient Manatee County submitted a formal request for linear facilities that is under review. Additional documentation is needed from the County and has been requested.

Per the P-2000 linear facilities policy, once the proposal is complete, the request can be approved without coming back to the Board, unless we receive public objections, it is a large project, or if the project could be viewed as controversial. FCT Staff does not believe that any of those conditions apply. The County supports the road realignment request. The County has offered replacement property at a ratio of nearly six to one (4,071 s.f. taken to 23,600 s.f. replaced). There is evidence of widespread public support for the realignment, as it is a public safety issue.

Once Staff receives all required documentation from the recipient, we hope to reach a conclusion on this issue quickly.



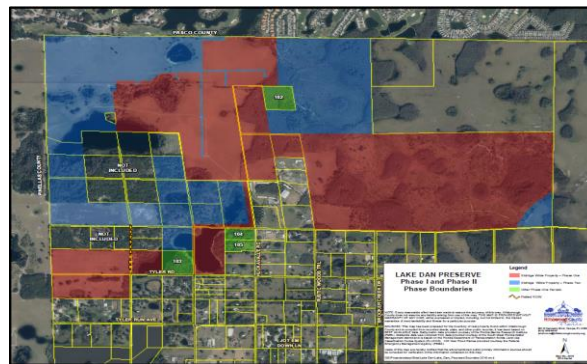
ITEM 11

Lake Dan Preserve Phase II, FCT# 11-046-FF11, Hillsborough County

Hillsborough County was given approval to proceed with license agreements between the County and Tampa Bay Water. As a precursor to executing the license agreements with Tampa Bay Water, the County had requested an amendment to the Declaration of Restrictive Covenants for Lake Dan Phase I. After review, FCT concluded that such an amendment was not necessary.

Tampa Bay Water has approved the license agreements. They are now on the December 6 agenda for the Hillsborough County Commission to approve.

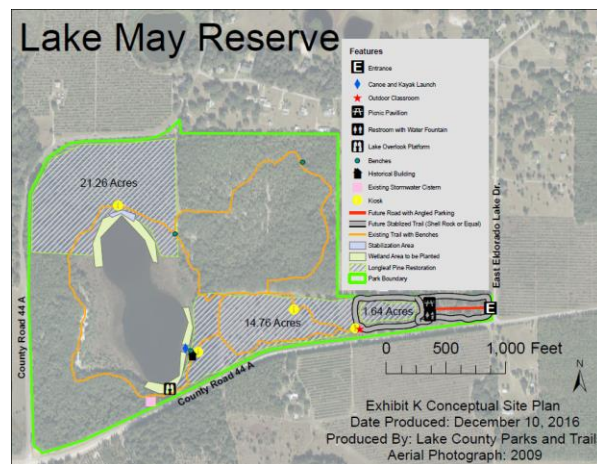
Given weather-related interruptions, Hillsborough County anticipates being able to close on the property shortly after the first of the year.



ITEM 12

Lake May Reserve, FCT # 11-007-FF11, Lake County

DSL reviewed the Phase I ESA. We've started the process of obtaining a 3rd party review of the two appraisals DSL received from Lake County. Lake County has the appraisal bids and is to choose the reviewer.



ITEM 13

Sebastian Harbor Preserve, FCT# 11-050-FF11, Indian River County

Indian River County returned the executed Grant Agreement to FCT for our execution. The Agreement is now in the process of being signed by the Department as per our delegation of authority.

