



Volusia Forever Advisory Committee Meeting  
Friday, March 19, 2021  
10:00 a.m., Volusia County Council Chambers

### **Agenda**

1. Meeting Called to Order - Staff
2. Roll Call/Introduction of Members
3. Introduction of Staff
4. Presentations
  - a) Sunshine Laws and Robert's Rule – County Attorney's Office
  - b) Existing Forever Program – Staff
  - c) Financing – Chief Financial Officer
5. Listening Session Discussion
  - a) Presentation of topics and format
  - b) Review of schedule
6. Selection of Chair and Vice Chair
7. St. Johns Water Management District Request
8. Adjournment

# VOLUSIA FOREVER 2021-2041



January 2021

**I. MEETING CALLED TO ORDER**

**II. ROLL CALL/INTRODUCTION OF MEMBERS**

**III. INTRODUCTION OF STAFF**

**IV. PRESENTATIONS –**

**A. Sunshine Laws and Robert’s Rule**  
County Attorney’s Office

**B. Existing Forever Program**  
Staff

Review Resolution 2021- 11 Establishing the Committee  
Role of County staff  
Land Nomination and Review Process  
Site Ranking Criteria  
Committee Review and Prioritization (Group A and B)  
Acquisition Process  
Small Lot Acquisition Process  
Land Management Set-aside  
Recreation and Access

**C. Financing**

Chief Financial Officer

**V. LISTENING SESSION DISCUSSION**

**A. Presentation of topics and format**

**B. Review of schedule**

**VI. SELECTION OF CHAIR AND VICE CHAIR**

**VII. ST. JOHNS WATER MANAGEMENT DISTRICT REQUEST**

**VIII. ADJOURNMENT**



## III. INTRODUCTION TO STAFF

- County Manager's Office
  - ▣ Suzanne Konchan, Deputy County Manager
- County Attorney's Office
  - ▣ Russ Brown, Assistant County Attorney
- Finance Department
  - ▣ Ryan Ossowski, Chief Financial Officer
- Growth and Resource Management
  - ▣ Clay Ervin, Director
  - ▣ Ginger Adair, Environmental Management Director
  - ▣ Sarah Presley, Staff Support
- Community Services
  - ▣ Dona Butler, Director
  - ▣ Tim Baylie, Parks, Recreation and Culture Director
  - ▣ Nick Dunnam, Land Management Activity Manager
  - ▣ Danielle Dangleman, Land Management Special Projects

# Florida's Government in the Sunshine And Public Records Law

2020





# Open Meetings

# Article I, § 24(b), Florida Constitution

- “All meetings of . . . any collegial public body of a county, municipality, school district, or special district, at which official acts are to be taken or at which public business of such body is to be transacted or discussed, shall be open and noticed to the public . . . , except with respect to meetings exempted pursuant to this section or specifically closed by this Constitution.”

# Florida Statutes § 286.011

- “All meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, including meetings with or attended by any person elected to such board or commission, but who has not yet taken office, at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. The board or commission must provide reasonable notice of all such meetings.”

## 3 Basic Requirements of §286.011

- 1) Meetings of public boards or commissions must be open to the public;
- 2) Reasonable notice of such meetings must be given; and
- 3) Minutes of the meetings must be taken and promptly recorded.

# Meetings

- A “meeting” occurs when there is ANY gathering, whether formal or casual, of two or more members of the same board or commission to discuss some matter **on which foreseeable action will be taken by the board or commission.**
- A “gathering” may include meetings of board or commission members via telephone or other electronic means.

# What's Not a "Meeting"?

- As long as there is no interaction, discussion, debate, or response between the parties about the issues outside of public meetings, it is not a violation of the Government in the Sunshine Law for:
  - (1) town commissioners to attend the public meetings of other city boards or committees and comment on agenda items that may come before the town commission for official action;
  - (2) county commissioners who are also board members of a regional planning council to take part in council meetings and express their opinions;
  - (3) city council members to prepare and circulate individual position statements on the same subject to other council members; or for
  - (4) a city commissioner to send informational material to other commissioners.

# What Kinds of Discussions Are Covered?

- Email discussions between any two or more board members.
- Telephone conversations / video chats between any two or more board members.
- Internet discussions between any two or more board members (e.g., blogs, Facebook comments, etc.).
- Text messages
- Inaudible discussions (discussions that occur between board members in an open meeting that cannot be heard by others violate the Sunshine Law).
- Discussions during recess or after adjournment (when the public meeting is not in session, board members must refrain from discussing board matters until the next meeting or until the current meeting is recommenced).

# Liaison Rule

- Board members may call upon staff members for factual information and advice without being subject to the Sunshine Law.
  - Staff members are not members of a collegial board.
- BUT Sunshine Law applies if board members use staff as intermediary or “go between”

# Exceptions

- Some examples:
  - Closed attorney-client meetings for the purpose of discussing pending litigation.
  - Internal collective bargaining discussions between the chief executive officer and the governing board.
  - Fact finding committees established solely for the purpose of gathering facts (no decision making or screening functions).
  - Portions of meetings that reveal a security system plan.
  - Some solicitation processes (See § 286.0113(2), Fla. Stat.).

# Notice for Meetings

- Notice must be “reasonable,” but is not otherwise defined (though your agency may have adopted specific notice requirements).

# Notice for Meetings: Guidelines from the Attorney General

- Time, Place, and Subject Matter.
  - Notice should provide time and place of meeting and, if available, an agenda, or if no agenda is available, a statement of the general subject matter to be considered.
- Prominently Displayed.
  - Notice should be prominently displayed in an area of the agency's offices set aside for that purpose (e.g., main office and website).
- Notice Provided at Least 7 Days Prior to the Meeting.
  - Except that emergency meetings should be noticed in the most appropriate and effective manner under the circumstances.
- Notice for Special Meetings.
  - Should be provided no less than 24 and preferably at least 72 hours prior to the meeting.
- Notice by Other Means.
  - The use of press releases, email, and faxes to spread notice of a meeting is encouraged.

# Minutes

- All meetings require recorded minutes, including workshops.
- Minutes are intended as a brief summary of notes or memoranda reflecting the events of the meeting; a verbatim transcript is not required.
- Minutes must be in written format (audio recordings are optional).
  - Note: Ch. 934, Fla. Stat., implicitly recognizes the public's right to silently record public meetings.

# Public Participation

- Members of the public shall be given a reasonable opportunity to be heard on a proposition before a board or commission. The opportunity to be heard need not occur at the same meeting at which the board or commission takes official action on the proposition if the opportunity occurs at a meeting that is during the decisionmaking process and is within reasonable proximity in time before the meeting at which the board or commission takes the official action. This section does not prohibit a board or commission from maintaining orderly conduct or proper decorum in a public meeting. The opportunity to be heard is subject to rules or policies adopted by the board or commission, as provided in subsection (4).

Fla. Stat., § 286.0114

# Penalties and Sanctions

- Fines
- Suspension or removal from office
- Attorneys fees and court costs



# Public Records

# A Constitutional Right to Inspect: Article I, § 24(a), Fla. Const.

- “Every person has the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, or persons acting on their behalf, except with respect to records exempted pursuant to this section or specifically made confidential by this Constitution.”

## §119.01(1), Fla. Stat.

- It is the policy of this state that all state, county, and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency.”

# What is a “Public Record”?

- All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission;
- Made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.
- The Florida Supreme Court has interpreted this definition to encompass all materials made or received by an agency in connection with official business, which materials are used to perpetuate, communicate, or formalize knowledge

# Unfinished Business

- There is no “unfinished business” exception to the Public Records law. Thus, “rough draft” correspondence, reports, and memoranda are generally subject to disclosure under the public records law.
  - **HOWEVER**, personal notes taken in the course of conducting official business by a public employee, are not public records, if the notes have not been transcribed or shown to others and are not intended to perpetuate, communicate, or formalize knowledge. Such records may become public records if shared with others or filed or stored for future reference by others.

# Not a Public Record

- **Personal Grocery List.** This item is personal and was not otherwise created or maintained in connection with county business.
- **County Computer Password.** Passwords, though used in connection with county business, are not intended to communicate, perpetuate, or formalize knowledge. Passwords are better compared to building keys.
- **An Unvoted Ballot.** Though maintained in the course of county business, an unvoted ballot does not perpetuate, communicate, or formalize knowledge until it is marked by a voter (and becomes a public record).

# Exemptions

- Some items clearly qualify as public records but do not have to be produced, because the legislature has deemed them to be exempt or confidential from disclosure.
- Statutory exemptions are narrowly interpreted and construed in the manner most favorable to the requestor.

# Things that are Exempted

- **Social Security Numbers.** § 119.071(5)(a), Florida Statutes.
- **Bank Account, Debit, and Credit Card Numbers.** § 119.071(5)(b), Florida Statutes.
- **Certain personnel information** (e.g., law enforcement, corrections, firefighters, judges, code enforcement, etc.). § 119.071(4), Florida Statutes.
- [The Sunshine Manual](#)

# Requests for Public Records

- Requests can be verbal or written
- Made by any person (the person need not identify him/herself if she does not wish to do so).
- **Prompt Response.**
  - § 119.07(1)(c), Florida Statutes, states that records requests must be acknowledged promptly and responded to in good faith. The Florida Supreme Court has stated that the only delay allowed in responding to a records request is the reasonable time it takes for staff to retrieve the record and redact or otherwise remove those portions of the record the custodian asserts are exempt.

# Redaction

- Redaction.
  - If portions of the records requested contain confidential or exempt information, the custodian should redact that information from the record prior to producing the record to the requestor. The requestor is entitled to review and copy the remainder of the record.
- Basis for Redaction.
  - If staff believes that all or a portion of a record is subject to a valid exemption or is confidential, staff must state the basis for the redaction, including the statutory citation supporting such basis

# Records, not Information

- Requests are for Records, NOT Information.
  - Staff is required only to produce records in the ordinary form in which they are kept. Staff is not required to provide “information” from such records or to generate new reports or records in response to a request. This, however, would not preclude staff from responding to requests for information in a different manner if agreed to between staff and the requestor.

# Charging for Responding to Public Records Requests

- Special Service Charges. Staff may charge special service charges to inspect or copy public records when the nature or volume of the records to be inspected is such as to require extensive use of information technology resources, or extensive clerical or supervisory assistance or both. The charge must be reasonable and based on the labor and computer costs actually incurred by the agency.
- Volusia County Service Charge. The county presently charges a special service charge for requests where more than 15 minutes of staff time is incurred in responding to the request. The charge is calculated based on the salary and benefits of staff employed to respond to the request and is intended to compensate the county and taxpayers for the actual cost of responding to the request.
- If you ever get a voluminous or difficult PRR, check with County Legal first!

# Charging for Responding to Public Records Requests

- **Inspection Charges.** Generally, an agency cannot charge for the mere inspection of public records. See AGO 1975-50.
- **Supervisory Charges.** However, an agency may charge a reasonable fee based upon actual labor costs for clerical personnel who are required, due to the nature or volume of a request, to safeguard such records from loss or destruction during inspection. See AGO 2000-11
- **Copying.** If no fee is prescribed elsewhere in the statutes, § 119.07(4)(a)1., Florida Statutes, authorizes the records custodian to charge a fee of up to 15 cents per one-sided copy for copies that are 14 inches by 8.5 inches or less.
  - **Volusia County.** At present, the county charges 5 cents per page, less than what is authorized by statute
- **Special Service Charges.** Staff may charge special service charges to inspect or copy public records when the nature or volume of the records to be inspected is such as to require extensive use of information technology resources, or extensive clerical or supervisory assistance or both. The charge must be reasonable and based on the labor and computer costs actually incurred by the agency.

# Penalties and Sanctions

- Fines
- Suspension or removal from office
- Attorneys fees and court costs



# Robert's Rules of Order

# Conclusions

- Remember Board members should NOT talk to, email, text, or correspond with fellow board or commission members about any matters that may foreseeably come before the board for discussion or decision outside the confines of a duly noticed and open public meeting.
- Promptly respond in good faith to all requests for public records and ensure that confidential and exempt records are not produced in a manner contrary to statutory requirements.
- When in doubt, please contact County legal at (386) 736-5950



## IV. B Existing Forever Program

### 2020 REFERENDUM

Voters were asked in November 2020 to approve a program :

- ❑ Annual ad valorem tax of 1/5 mil for 20 years
- ❑ Projected to raise \$179 million over 20 years
- ❑ Permits bonds in amount not to exceed \$60 million
- ❑ Purpose is to finance acquisition and improvement of environmentally sensitive, water resource protection, forests and farmlands, and outdoor recreation lands
- ❑ Requires full public disclosure through an annual audit

The referendum was approved by 75.6%  
of Volusia County voters.

# Resolution 2020-80

36

## □ Oversight Committee

- ▣ The council shall create an advisory oversight committee, by June 1, 2021, to conduct an ongoing review of all projects under consideration and to make recommendations to the Council

## □ Policies and Procedures

- ▣ The oversight committee shall recommend a land acquisition program with policies, procedures, standards and criteria for the purchase of endangered and conservation lands and water resource areas
- ▣ The goals of the Florida Forever program will provide the basis for the adoption of the policies utilized in the implementation of the Volusia Forever Program

## □ Acquisition Priorities

- ▣ Acquisitions which achieve a combination of conservation goals

## □ Public Access

- ▣ Ensure a balance between public access and recreation and the protection of the natural state and condition of lands

## ❖ Acquisition goals

- ❖ Increase in the level of protection, and increase in the population of, listed species
- ❖ Restoration of land areas
- ❖ Completion of projects begun under previous land acquisition programs
- ❖ Increase in the amount of forest land for sustainable natural resources
- ❖ Increase in resource-based public use opportunities
- ❖ Improvement of water recharge rates on public land
- ❖ Protection of natural floodplain functions and prevention or reduction in flood damage
- ❖ Restoration of degraded water bodies
- ❖ Restoration of wetlands
- ❖ Preservation of strategic wetlands
- ❖ Preserving of, or reduction of contaminants in, aquifers and springs
- ❖ Greenways and open space and improving natural systems corridors
- ❖ Water resource development

# Resolution 2021-11

## Volusia Forever Advisory Board

37

### Purpose

- ❑ Oversee the review of proposed acquisitions and make recommendations to the county council
- ❑ Review applications to ensure requests meet the objectives, criteria, procedures and guidelines of the program
- ❑ Periodically review program procedures, guidelines and criteria for acquiring property
- ❑ Oversee the review of proposed acquisitions and improvements for consistency with intent and goals
- ❑ Assess program priorities and recommend ranking of properties
- ❑ Make recommendations regarding participation in federal, state and district grant programs
- ❑ Review and/or assess the land acquisition, water resource protection, forests and farmlands, and outdoor recreation needs of the county and make recommendations on how Volusia Forever can address them
- ❑ Recommend further evaluation of properties through resource assessments

### Membership

- ❑ Two year terms expiring on March 31 of odd numbered years
- ❑ If any member fails to attend two (2) meetings during any calendar year, the seat is deemed vacated
- ❑ Committee shall conduct an annual goal setting workshop to outline its work program for the year, and will make an annual report to the county council on accomplishments, and review the annual program audit reports

# Resolution 2021-11

## Volusia Forever Advisory Board

38

### Restrictions

- ❑ No committee member who is a board member, officer, employee, consultant, advisor or has a contractual relationship with any applicant for or grantee of funds from the program shall vote or participate in consideration of or vote on any matter concerning that entity
- ❑ A member may not have any ownership of or other beneficial interest in any property considered for acquisition
- ❑ A person may only serve on two (2) Volusia County committees at a time
- ❑ Members shall disclose all ownership of and beneficial interest in all properties in Volusia County
- ❑ Members may not solicit offers or engage in contact with representative of properties under consideration
- ❑ Members may not represent the program to any public or private support entity (SJRWMD, State of FL, etc.)

### Code of Ethics

- ❑ At least quarterly meetings, called by the chair of the committee or the county manager or designee
- ❑ Committee shall elect, by majority vote, a chair and vice chair. No member may serve more than 2 consecutive years as chair or vice-chair
- ❑ The county manager shall assign personnel to support the committee



# ROLE OF COUNTY STAFF

- ❑ Provide initial orientation and continuing education
- ❑ Create the meeting agenda with the help of committee chair
- ❑ Attend committee meetings in a nonvoting capacity, record attendance, take and distribute meeting minutes
- ❑ Provide technical and administrative assistance
- ❑ Provide an eligibility evaluation report for nominated properties
- ❑ Communicate with property owners(s), other acquisition partners, and regulatory agencies
- ❑ Present committee recommendations to County Council, and inform members of County Council actions
- ❑ Negotiate acquisition contracts
- ❑ Organize and facilitate community listening sessions

# Overall Goals, Values, Policies\*

40



- Goals are to “protect and manage environmentally sensitive lands, areas necessary for water resource protection, and outdoor recreation sites for the purpose of conservation and resource based recreation”
- Maximize effectiveness by leveraging funds from other sources. May hold title to lands in partnership with other agencies or non-profit organization
- May submit purchases for reimbursement from other funding sources
- Acquisition procedures for other programs may be substituted in whole or in part, for VF procedures when other program funds are utilized
- Recognizes that there are alternatives to fee simple acquisition – i.e. easements
- County council has the authority to accept lands with less than marketable title if it is in the best interest of the county
- Preference is to acquire vacant lands, although acquisition of lands with structures may be considered on a case-by case basis

\* This is based on the 2000 program, and is subject to change

# Land Nomination and Review Process

41



- Shall accept nominations from any governmental entity, conservation organization, corporation or individual for any land within Volusia County
- The committee or staff may also nominate lands
- Lands shall be evaluated on a first come- first served basis
- Staff may establish a nomination cycle and deadlines
- Nominations shall be submitted on an application form, not exceeding 10 pages
- Staff will perform an initial review based on the established criteria (another slide), including a site visit
- Staff will prepare a draft property evaluation report and provide it to the property owner/representative for review, and then to the committee for evaluation

# Priorities for acquisition

42



- Properties on Water Management District 5-year acquisition plan
- Completion of projects begun under previous programs
- Additions to existing conservation lands
- Properties that enhance corridors and connectivity
- Properties of significant size to achieve meaningful conservation objectives
- Properties facing imminent loss to development
- 18 specific criteria – properties must meet at least 10 for consideration

# Site Ranking Criteria

43

18 primary criteria grouped into:

1. Proximity and Connectivity
2. Furtherance of Acquisition Efforts
3. Water Resources
4. Environmentally Sensitive Lands
5. Provision of Resource-based Recreation Lands
6. Management Requirements



3 Enhancement criteria

To be eligible for acquisition a site must have 10 of 18 primary criteria

# Site Ranking Criteria

44

## Proximity and Connectivity

- Is the property functionally adjacent to existing conservation land (conservation easement or public ownership) or a Volusia Forever eligible property?
- Will the acquisition maintain the ecological link or habitat corridor between two or more otherwise unconnected existing conservation lands (conservation easement or public ownership)?

## Furtherance of Acquisition Efforts

- Will the acquisition further a project begun under previous or existing governmental land acquisition programs?
- Based upon preliminary assessment (i.e. partnership experience, property size, location and features), is there a reasonable expectation of matching funds from other sources to assist in the acquisition?

## Water Resources

- Does the property serve an important groundwater recharge function?
- Does the property contain or have frontage upon, a waterbody, wetlands, or waterway?
- Does the property contain springs and/or other unique geological features?
- Does the property have the potential for water resource (potable water) development?

## Environmentally Sensitive Lands

- Is there the potential that acquisition of the property will protect or maintain populations of any Federal or State listed species (including, but not limited to, endangered, threatened or species of special concern) which may typically be expected to occur on the property?
- Does the property contain viable acreage of one or more scarce, unique or other significant upland communities?
- Will the acquisition protect fragile coastal resources?

# Site Ranking Criteria

## Provide Resource Based Recreation Lands

- Does the property offer the potential for the establishment or enhancement of resource based public use opportunities, including Greenways, Blueways and trails?

## Management

- Is the size and location of the property appropriate for cost effective management?
- Does the property have a limited amount of exotic/invasive species?
- Is the pattern of existing and potential future land use of the area adjacent to the property compatible with typical land management practices?
- Is there appropriate access to the property?
- Is the percentage of water bodies or wetlands requiring restoration minimal?
- Is the percentage of uplands requiring restoration minimal?

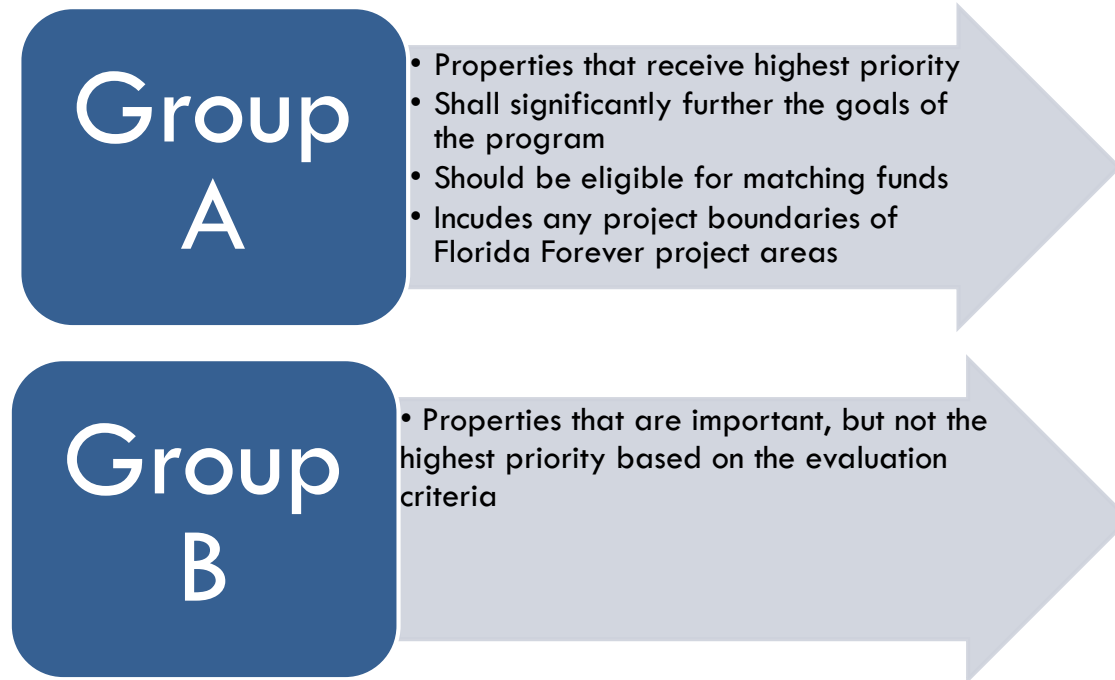
## Enhancement Criteria

- Does the property likely contain significant historical, archeological, and/or cultural resources?
- Does the property have the potential for providing significant opportunities for education and/or scientific research?
- Does the acquisition of the property substantially further the conservation goals and management objectives of the Volusia Forever program?

# Committee Review and Prioritization

46

- ❑ At an open public meeting the committee shall divide properties into 2 groups: properties eligible for further consideration, and properties not eligible
- ❑ No less than twice each year the committee will prioritize eligible properties into 2 groups



Group A properties are forwarded to County Council for authorization to proceed with the acquisition process.

County Council may move a property from one group to another, but may not add a property to the ranking group that has not first been determined eligible by the committee.

# Final Acquisition Process

47



The Group A ranked properties shall be pursued for acquisition by completing the following:

1. Contract with a willing seller
2. Boundary survey
3. Title and encumbrance survey
4. Written appraisals – 1 for properties valued between \$100K and \$500K, 2 for properties with values greater than \$500K
5. Environmental audits – Phase I or II, as necessary
6. Deed or easement
7. Approval by County Council
8. Real estate closing



# Small Lot Acquisitions

49

- Supplements the county's efforts in acquiring environmentally sensitive lands in antiquated subdivisions
- The lots are small, with limited or no physical access or infrastructure
- Goal is to assemble enough contiguous small lots into ecologically significant tracts
- Acquisition procedures are modified – no survey, appraisal or environmental assessment is required, only a limited title search and an affidavit from the owner stating there are no known pollutants

Spent \$1,631,211 for a total of 2,519 acres





## LAND MANAGEMENT SET-ASIDE

In the 2000-2020 program, 10% of the appropriated funds from the program were set aside to:

“ensure that there is adequate funding for public access, land management, and improvements thereon of lands purchased under Volusia Forever as well as the 1986 referendum and other lands purchased for conservation purposes”

More discussion of the set-aside in the financing section

# Land Management

51

- Responsible for the management, enhancement and restoration of approximately 41,000 acres
- Ecologically sensitive management focuses on restoration, conservation, education, and research opportunities for the wise public utilization of natural lands.

Property	Acreage
Barberville Conservation Area/mitigation bank	1,447
Deep Creek Preserve	8,040
Deering Preserve at Deep Creek	1,385
Doris Leeper Spruce Creek Preserve	2,479
Gemini Springs Conservation Area	1,337
Hickory Bluff Preserve	135
Lake George Forest & Wildlife Management Area	8,062
Longleaf Pine Preserve	12,005
Lyonia Preserve	360
Scrub Oak Preserve	134
Wiregrass Prairie Preserve	1,423
Small Lots	4,122
<b>Total</b>	<b>40,929</b>

# Land Management Activities

52

- Habitat maintenance and restoration
  - Prescribed fire
  - Sustainable forestry
    - promotes conservation and management practices which are environmentally, socially and economically sustainable and which generate and maintain benefits for present and future generations.
  - Plant and animal monitoring
    - Exotic species control
    - Jay watch
    - Rugel's PawPaw roundup



# Recreation, Public Access and Education

53

- Hiking, biking, horseback riding and primitive camping are allowed on most properties
- 46 miles of trails, 5 camp sites
- Hunting is allowed on the Lake George Forest & Wildlife Management Area and is administered by the Florida Fish and Wildlife Conservation Commission as part of a larger 35,380 acre Wildlife Management Area
- Interpretive trail signage
- Guided tours
- Educational programs
- Boy Scouts projects



# IV. C. Revenue Estimates and Current Balances

54



## □ Revenue Estimates

- ▣ Based on current property values approximately **\$7.65 million** from 0.2 mills in FY2022.
- ▣ Estimated revenues of approximately **\$179 million** over 20 years, based on regression modeling on historical property values.

## □ Current Forever Balances as Budgeted

- ▣ Reserve for Acquisition – \$726,711
- ▣ Reserve for Land Management – \$12,767,374

## IV. C Land Management Set-Aside

55

- Approximately \$1.2 million in annual land management expenditures from Forever
- Funds *potentially* available to cover land management expenditures:
  - ▣ Set-aside
  - ▣ Interest
  - ▣ Hunting leases, timber sales, etc.
  - ▣ Forever 2000 fund balance
- Potential set-aside based on current estimates of \$7.65 million in revenue for FY2022:
  - ▣ 10% = \$765,000      (90% = \$6,885,000)
  - ▣ 15% = \$1,147,500    (85% = \$6,502,500)

# IV. C Land Acquisition Financing

56

## □ Bonding Authority

- Limited General Obligation (“GO”) bonding authority was set at \$60 million, in consultation with county’s financial advisors, PFM Financial Advisors.
  - Annual debt service approximately \$4.2 million, 20 year life, estimated average annual interest rate of 3.4%
- Revenue bonds are also potential options.

## □ Federal government view of tax exempt debt

- 26 CFR § 1.148-10(a)(4) “An action overburdens the tax-exempt bond market under paragraph (a)(2)(ii) of this section if it results in issuing more bonds, issuing bonds earlier, or allowing bonds to remain outstanding longer than is otherwise reasonably necessary to accomplish the governmental purposes of the bonds, based on all the facts and circumstances.”
- Basically, don’t issue debt until you actually need it.

## □ Finance timeframe approximately 3 months

## □ Intermediate cashflow

## □ Borrowing from land management fund balance

# V. Listening Session Discussion

57

## Topics and Format

- In-person meeting with virtual option
- Pre-recorded presentation
- Topics:
  - ▣ Acquisition priorities
  - ▣ Criteria for selection
  - ▣ Use of conservation and agriculture easements
  - ▣ Small lot acquisition process
  - ▣ Financing – bonds, etc.
  - ▣ Land Management set-aside

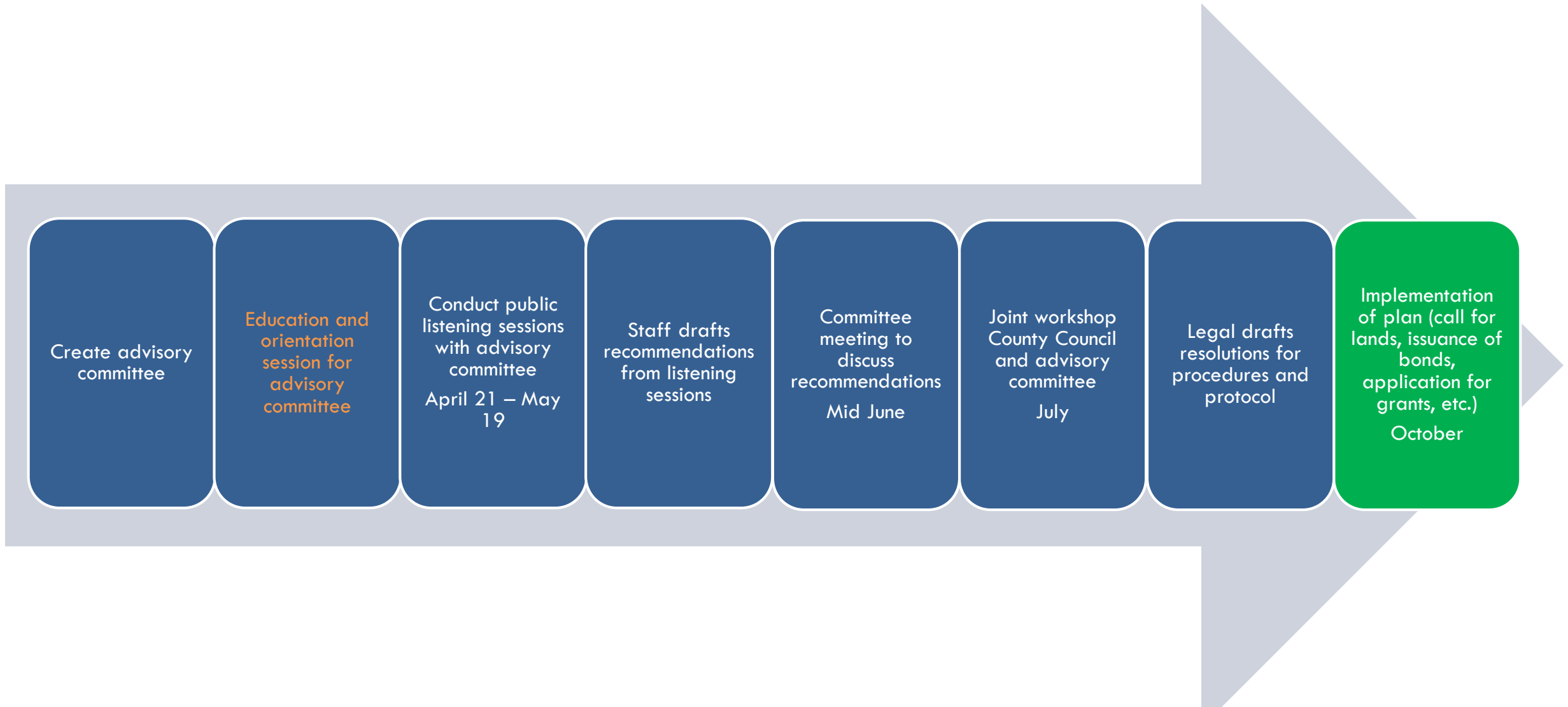
## Draft Schedule

6:00- 8:00 p.m.

- District 1 – April 21, 2021 Volusia County Council Chambers, DeLand
- District 2 – May 5, 2021 Beach Safety Headquarters, Daytona Beach
- District 3 – April 28, 2021 Brannon Center, New Smyrna Beach
- District 4 – May 12, 2021 City of Ormond Beach Chambers
- District 5 – May 19, 2021 City of Deltona Chambers

# Volusia Forever Update Process

58



## VI. Selection of Chair and Vice-chair

## VII. ST. JOHNS WATER MANAGEMENT DISTRICT REQUEST

# Questions and Discussion

61



VIII. Adjournment

# Resolution 2020-80

62



## Oversight Committee

The council shall create an advisory oversight committee, by June 1, 2021, to conduct an ongoing review of all projects under consideration and to make recommendations to the Council.

## Policies and Procedures

The oversight committee shall recommend a land acquisition program with policies, procedures, standards and criteria for the purchase of endangered and conservation lands and water resource areas.

The goals of the Florida Forever program will provide the basis for the adoption of the policies utilized in the implementation of the Volusia Forever Program.

## Acquisition Priorities

The focus shall be on acquisitions which achieve a combination of conservation goals.

## Public Access

The program needs to ensure a balance between public access and recreation and the protection of the natural state and condition of lands.