

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101
Prepared by: Marcie O. Nolan, Planning Supervisor

SUBJECT: Resolution
Authorization of the creation of the Town of Davie Land Trust

AFFECTED DISTRICT: Townwide

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING, ACKNOWLEDGING AND AUTHORIZING THE FORMATION OF A LAND TRUST WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN AND PROVIDING STAFF RESOURCES AS NEEDED.

REPORT IN BRIEF:

Land Trust Background

The Town Council adopted the Rural Lifestyle Regulations on October 16, 2002. Prior to the adoption of the regulations Town staff researched several strategies, in addition to regulations, aimed at preserving the rural areas of the Town. One strategy identified was for the Town to assist in the creation of a not-for-profit land trust, staffed and initially funded by the Town, directed to identify farmland, agricultural land and open spaces and develop appropriate methods for preservation. The goal of the Land Trust is to work with property owners who desire to retain their farmland but are faced with growing pressure from developers to sell their property for non-agricultural type development. The most successful tool identified is the conservation easement.

Public Workshops

In order to begin the process of incorporation of a not-for-profit land trust, the first step is to create a Board of Directors and begin building the necessary community support, both physically and financially. The Town has begun running a series of notices in the newspaper to let the public know that there will be public meetings held **June 29 and July 6 at the Old Davie School at 7:00 PM**. These meetings will introduce people to the concept of a land trust and the necessary steps required for the formation of such an organization. Throughout the months of June and July staff will be accepting resumes and letters of interest from residents, property owners and business owners who would like to be either on the Board of Directors or a member of the organization.

Board of Directors

The purpose of the workshops is to create a database of interested residents and property owners to begin forming the actual Board of Director for the Land Trust. Staff is requesting that interested parties provide a cover letter and resume to staff. Upon the conclusion of the workshops, staff will schedule another series of working meetings to select, with all interested members of the public, the potential Board of Directors. The ultimate selection of the Board

will be based upon their submitted letters of interest, skills applicable for the needs of the Land Trust and selection by the working group of interested parties. The end result is to form a grass root organized Board of Directors reflecting the various interests of the entire Davie community.

Funding

The current cost of land continues to escalate. The benefit of a not-for profit Land Trust is the use of conservation easements for preservation purposes. These easements benefit the property owners in a variety of ways. They can reduce property taxes, reduce inheritance tax and assist with estate tax planning. A conservation easement also benefits the community through a perpetual encumbrance placed upon a parcel of land requiring the land be used exclusively for predetermined uses established through the conservation easement management plan. In order to place a conservation easement upon a parcel of land, the Land Trust would "buy" development rights (i.e. density, intensity, etc.) and then allow the farmland to continue in accordance with the management plan. The cost of these easements include both initial purchase of the right, the creation of the management plan through profession ecologists, and the ability to maintain the integrity of the easement over an extended timeframe. The creation of an Land trust endowment, funded by dedicated residents and property owners within the Davie community is anticipated to provide the majority of the preservation acquisitions. Additional funding through grants and foundations will assist in creating a financially stable Land Trust.

The Role of the Town

The role of the Town will be essential for the successful creation of this Trust. First and foremost, the support and dedication of the Town Council to the concept is essential to gain the support and momentum of the public. The Town may also be needed to provide the initial start-up costs for incorporation. The cost is typically \$2,500 dollars and can be reimbursed through various grants, including the Kodak Greenways Grant program. An additional \$2,500 is requested for marketing and outreach. Also, Town staff anticipates acting as the Board liaison for a period of two (2) years as the organization evolves.

Next Steps

Upon identifying the interested members of the community, the following steps will be required before actual land preservation through the use of conservation easements can occur:

- **Selection of the Board of Directors**
- **Incorporation - 501(C)3 status**
- **Endowment Fund for the purchase of conservation easements - \$500,00 start-up goal**
- **Strategies for Purchase priorities**

Upon completion of the public workshops, staff will provide Town Council with periodic updates as to the status of the creation of the Land Trust Board of Directors.

PREVIOUS ACTIONS: None

CONCURRENCES: N/A

FISCAL IMPACT: Has request been budgeted? No

If yes, expected cost: \$

Account Name:

If no, amount needed: \$5,000

What account will funds be appropriated from: Open Space Funds

Additional Comments:

RECOMMENDATION(S): Staff recommends approval of the Resolution.

Attachment(s): Resolution, Public Notice

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING, ACKNOWLEDGING AND AUTHORIZING THE FORMATION OF A LAND TRUST WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN AND PROVIDING STAFF RESOURCES AS NEEDED.

WHEREAS, The Town of Davie adopted Rural Lifestyle Regulations to preserve and protect the existing rural areas of the community; and

WHEREAS, The Town of Davie acknowledges that loss of the rural lifestyle can be attributed to loss of farmland, agricultural land and open space; and

WHEREAS, The Town Council of Davie desires to enact proactive measures to retain farmland, agricultural land and open spaces; and

WHEREAS, The Town Council of Davie desires to support and authorize the formation of a not-for-profit organization aimed at preserving and conserving open space, farmland and agricultural uses; and

WHEREAS, The Town Council of Davie is seeking active members of the community interested in preserving open space, farmland and agricultural uses to establish a conservation Land Trust that will operate within the municipal boundaries of the Town.; and

WHEREAS, the goal of such Land Trust is to preserve and protect the remaining farmland, open spaces and agricultural uses found throughout the Town; and

WHEREAS, The Town Council Davie hereby authorizes such formation of a Land Trust with staff resources to assist in the formation of the Land Trust; and

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The Town Council of Davie authorizes the formation of a not-for profit Land Trust. Such Land Trust will be created by a group of interested citizens and business holders within the community selecting their Board of Directors through the general consensus of the group.

SECTION 2. The Town Council of Davie authorizes the use of one staff person for a period not to exceed two (2) years to assist in the coordination and creation of such conservation Land Trust.

SECTION 3. The Town Council of Davie also authorizes the initial expenditures of money, \$5,000.00 to incorporate such Land Trust.

SECTION 4. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2004.

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

APPROVED THIS ____ DAY OF _____, 2004.



TOWN OF DAVIE LAND TRUST

The Town of Davie is actively seeking volunteers for *The Board of Directors* for the newly authorized Conservation Land Trust of Davie

We are looking for people with a passion for and commitment to the preservation of the Davie Rural Lifestyle.

Desired experience: Background in land preservation/protection, land development, real estate, property management, fundraising, commerce, farming/agribusiness, law, public relations, wildlife habitat protection, biology/ecology, community involvement, chamber of commerce, or any other related expertise.

Scope of Duties: Attend board meetings and assist with goal setting, project planning, fundraising, program promotion, conservation easement negotiations, etc.

Please send letter of interest and resume to: Town of Davie
Planning and Zoning Division
6591 Orange Drive
Davie, FL 33314
Attn: Land Trust

Informational meetings will be held Tuesday June 29 and July 6 at the Old Davie School, located at 6650 Griffin Road at 7:00 PM.

Timeline to Apply: August 1, 2004

**For additional questions or comments please contact
Marcie or Mike
at (954) 797-1103**