

TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Gary Shimun, Town Administrator / 797-1030

PREPARED BY: Phillip R. Holste, Program Manager / 797-1041

SUBJECT: Resolution

AFFECTED DISTRICT: 2

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE PROVIDING THAT THE TOWN WILL PROGRAM THE OBLIGATIONS SET FORTH WITHIN THE CONCEPTUAL PARK MANAGEMENT PLAN FOR THE BATTEN'S FARM PROPERTY (OS-138), INTO THE TOWN'S 5-YEAR CAPITAL IMPROVEMENTS PROGRAM WITHIN TWO YEARS

REPORT IN BRIEF: This resolution is presented in conjunction with the resolution to execute an interlocal agreement with Broward County for the Batten's Farm property (Open Space Site OS-138).

To receive the \$2 million allocation toward the project from the Broward County Land Preservation Bond Program, Davie must agree to integrate the park development elements into the Town's 5-Year Capital Improvements Plan (CIP) within two years. Elements of the project that must be included in the CIP within two years are stated in the Conceptual Park Management Plan attached as Exhibit A. They include: securing the site, removing invasive plant species, landscaping with native species, developing park infrastructures, and establishing a timeline to provide public access.

Through this resolution, the Town agrees that these activities will be programmed to begin within the next 7 years. The resolution further states that these development obligations will remain in the 5-Year CIP until they are completed.

PREVIOUS ACTIONS: None

CONCURRENCES: Not Applicable

FISCAL IMPACT: Yes

Has request been budgeted? No

Additional Comments: If the Town closes on the Batten's Farm property, Broward County will contribute \$2 million towards the property purchase at closing.

RECOMMENDATION(S): Motion to approve

Attachment(s): Resolution, Exhibit A: Conceptual Park Management Plan

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE PROVIDING THAT THE TOWN WILL PROGRAM THE OBLIGATIONS SET FORTH WITHIN THE CONCEPTUAL PARK MANAGEMENT PLAN FOR BATTEN'S FARM (OS-138), INTO THE TOWN'S 5-YEAR CAPITAL IMPROVEMENTS PROGRAM WITHIN TWO YEARS.

WHEREAS, the Town of Davie's purchase of the Batten's Farm site, also known as Open Space Site #OS-138, was approved by the Broward County Land Preservation Board for funding assistance through the Safe Parks and Land Preservation Bond Program; and

WHEREAS, the Town of Davie shall enter into an Interlocal Agreement with Broward County for the Batten's Farm project as required by the Bond Program and which will be recorded in the public records of Broward County; and

WHEREAS, a Conceptual Park Management Plan has been prepared, attached hereto as Exhibit "A," which includes obligations of the Town of Davie, and which was attached as an exhibit to the Interlocal Agreement; and

WHEREAS, the Town of Davie wishes to assure Broward County that the obligations set forth within the Interlocal Agreement and its Conceptual Park Management Plan for Batten's Farm, OS-138, will be integrated into the Town's 5-Year Capital Improvements Program within two years.

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

Section 1. That the obligations set forth within the Conceptual Park Management Plan for OS-138 will be included within the Town's 5-Year Capital Improvements Program as set forth within the timeline contained in the Conceptual Park Management Plan.

Section 2. That those obligations will remain in 5-Year Capital Improvements Program until the obligations have been completed.

Section 3. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2007.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007.

EXHIBIT "A"

CONCEPTUAL PARK MANAGEMENT PLAN

Between

BROWARD COUNTY

and

TOWN OF DAVIE

for

IMPROVEMENT, ENHANCEMENT, OPERATION, MANAGEMENT

BY THE TOWN OF DAVIE

OF THE OPEN SPACE SITE REFERRED TO AS

(OS-138) BATTEN'S FARM

AS DESIGNATED IN THE BROWARD COUNTY

LAND PRESERVATION INVENTORY

Updated: September 24, 2007

I INTRODUCTION

Batten's Farm (Open Space Site #138) is a 10 acre property located south of Griffin Road along the Davie Road corridor at 5151 Davie Road (SW 64th Avenue). It is currently used as a produce farm and market. Previously, the site was used as a grove. The site improvements include a driveway, parking lot, and produce market building, comprising 14% of the property.

Davie's Driftwood Park recreational trail runs adjacent to the eastern boundary of the site along Davie Road. This trail links with other trails located on Griffin Road and SW 61 Avenue.

This management plan shall ensure that the goals and objectives of Broward County Resolution 2000-1230 are satisfied and provide a timeline for completion of required improvements. Section 4.03.a of the Resolution states that property listed in the Open Space Inventory shall include "undeveloped or agricultural land which can function, if appropriately developed and managed, to optimize water recharge quality and quantity, air quality and environmental benefits of the site while providing public use."

II PURPOSE OF THE PROJECT

The primary goal of the Land Preservation Program is to ensure the preservation and/or creation of ecologically valuable lands while expanding the passive recreation opportunities for the residents of Broward County. This project shall incorporate these values in the planning, implementation, maintenance and operation of the site.

The Batten's Farm site will be open space for public use, incorporating a multi-use trail system that will connect this site with multiple Town facilities and trails. The project consists of native plant landscaping, park development and maintenance of retention ponds.

III SITE DEVELOPMENT

The Town shall provide the following improvements:

A Phase II Environmental Site Assessment was recommended in order to determine if agricultural pesticides have negatively impacted the soil and/or groundwater quality on site.

If contamination is confirmed, the Town is committed to obtaining an Environmental Assessment and Remediation License from Broward County Environmental Protection Department (EPD). This will include the completion of a Site Assessment Report which documents the investigation activities that confirm

the contamination has been fully delineated in all directions. Sufficient funds, with contingency monies will be placed in escrow to accomplish this task.

- Multi-use trail
- Playground & picnicking facilities
- Maintain retention ponds on site

In order to adhere to the directives stated in Section 4.03.a of Resolution 2000-1230 and ensure passive recreation opportunities, Broward County has developed a standard for active recreation and impervious surfaces for lands acquired through this Program. The standard is as follows:

Impervious surfaces and surfaces requiring intense fertilization and pest control, such as ballfields, shall not exceed 30% of the project area, excluding park access infrastructures such as parking areas, entranceways and restroom facilities.

Upon completion of this project, the area comprised of impervious surfaces and/or dedicated to active recreation shall not exceed thirty percent (30%) of the total project area, excluding park access infrastructures such as parking areas, entranceways and restroom facilities.

IV KEY MANAGEMENT ACTIVITIES

Exotic Vegetation

The Town, as manager of the site, shall be responsible for the removal of all invasive exotic vegetation and the prevention of future growth and spread of such vegetation. Once the site has been developed, the Town shall ensure that invasive exotic vegetation does not reestablish within the park.

Native Vegetation

Existing native vegetation shall be preserved and incorporated into the park landscape design. The Town shall landscape at least 30% of the site with native species and maintain such species in a manner which ensures their viability. Xeriscape design shall be used where appropriate. The location of this landscaping shall be determined by the Town and depicted in the final Park Management Plan, which shall contain a list of the native species anticipated to be used in landscaping and a map of the landscaped portions of the site.

NatureScape Broward Principles

The *NatureScape Broward* program focuses on nine (9) principles for “Florida Friendly” landscapes. Town shall incorporate all applicable principles into park development and note such actions in the Final Park Management Plan.

Town shall apply for either a *Backyard Wildlife Habitat* certification through the National Wildlife Federation or the *Florida Yards & Neighborhoods* certification through the University of Florida IFAS Extension within three (3) months of opening the site to the public.

For more information regarding the implementation of NatureScape practices to your project please contact 954-519-0317.

Illegal Dumping

Prior to site development, the Town shall ensure that illegal dumping of waste does not occur on the site and if such activity does occur it is the Town’s responsibility to remove and properly dispose of such items. If hazardous materials are discovered on the site, the Town shall immediately notify the Broward County Environmental Protection Department (EPD).

Archaeological Features

Prior to commencement of any proposed development activities, measures shall be taken to determine the presence of archaeological sites.

Public Access

Once the site has been fully developed, the Town shall allow public access to the site during hours of operation determined by the Town.

Signage

The Town shall install a temporary sign, at the Town’s expense, the design and schematics of which shall be provided by the County, in a highly visible area of the project site recognizing the efforts of the Broward County Board of County Commissioners and funding through the Safe Parks and Land Preservation Bond.

Upon completion of the project, the Town shall construct and install a permanent sign, at the Town’s expense, in accordance with the aforementioned standards.

V PRIORITY SCHEDULE

Within three (3) months of the transfer of funds/title from the County to the Town, the Town shall perform the necessary site maintenance (i.e. mowing) to prevent

the growth and spread of exotic vegetation. This task shall be performed a minimum of four (4) times per year, or as deemed necessary by the County, until the project is fully developed.

Within six (6) months of the transfer of funds/title from the County to the Town, the Town shall install the temporary sign.

Within eighteen (18) months of the transfer of funds/title from the County to the Town, the Town shall remove any existing waste from the site. The Town shall ensure that future illegal dumping of waste does not occur on the site through a monitoring and security program. If such activity does occur, the Town shall be responsible for removing and properly disposing of such waste.

Within two (2) years of the transfer of funds/title from the County to the Town, the Town shall integrate the major elements of the project into the City's/Town's five-year Capital Improvement Program. The major elements of the project that are to be integrated include, but are not limited to, securing the site, removing invasive exotic plant species and landscaping with native species, developing park infrastructures, removing existing waste and establishing a timeline to provide public access. These elements shall be completed on a schedule outlined in the final Park Management Plan.

VI MONITORING

The County shall monitor the site for compliance with the provisions of the final Park Management Plan for the period of five (5) years from the date of the mutual acceptance of and approval of the final Park Management Plan. The Town shall allow County staff access onto the property during these visits.