

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Ken Cohen, Acting Town Administrator
Prepared By: Colleen Ryan, Grants Specialist/ (954) 797-1024

SUBJECT: Resolution

AFFECTED DISTRICT: District 4

TITLE OF AGENDA ITEM: A RESOLUTION ENDORSING THE ACQUISITION AND PROTECTION OF THE RYAN PROPERTY AS A UNIQUE "FARM PARK" AND OPEN SPACE IN THE TOWN OF DAVIE, FLORIDA; AUTHORIZING AND DIRECTING TOWN STAFF TO COMPLETE THE ACQUISITION AS SPECIFIED IN THE TOWN'S 2005 GRANT APPLICATION TO FLORIDA COMMUNITIES TRUST (FCT) UPON CONFIRMATION OF GRANT FUNDING FROM FCT; AND AUTHORIZING AND DIRECTING TOWN STAFF TO RE-SUBMIT THE FCT APPLICATION IN 2006 IF FUNDING FROM 2005 IS NOT CONFIRMED BY THE 2006 FCT CYCLE SUBMITTAL DEADLINE.

REPORT IN BRIEF: The Trust for Public Land (TPL) plans to purchase the 54 acre Ryan property for \$12.4 million in February 2006. TPL has requested this resolution to ensure the Town's commitment to acquire the site for open space.

During the past year, the Town has sought grant funding toward this property's purchase and preservation as a "farm park." Broward County approved \$2 million for the project from the Safe Parks and Land Preservation Bond Program. The Town is currently seeking an additional \$1.5 million from the bond program. The Town also applied for a \$5.87 million grant from the Florida Communities Trust (FCT), which remains pending. If funding is not awarded in the near future, the Town will need to reapply in May 2006 for consideration in FCT's 2006 grant cycle. The Town also plans to submit an application to the Transportation Enhancement Program in April 2006, and is pursuing corporate funding for the project.

PREVIOUS ACTIONS: The Davie Town Council authorized staff to pursue grant funding for this site at its Match 2, 2005 meeting.

CONCURRENCES:

FISCAL IMPACT:

Has request been budgeted? No

If yes, expected cost:

If no, amount needed: \$12.4 million for acquisition, plus due diligence costs.

Account Name:

Additional Comments:

RECOMMENDATION(S):

Attachment(s): Resolution

RESOLUTION _____

A RESOLUTION ENDORSING THE ACQUISITION AND PROTECTION OF THE RYAN PROPERTY AS A UNIQUE "FARM PARK" AND OPEN SPACE IN THE TOWN OF DAVIE, FLORIDA; AUTHORIZING AND DIRECTING TOWN STAFF TO COMPLETE THE ACQUISITION AS SPECIFIED IN THE TOWN'S 2005 GRANT APPLICATION TO FLORIDA COMMUNITIES TRUST (FCT) UPON CONFIRMATION OF GRANT FUNDING FROM FCT; AND AUTHORIZING AND DIRECTING TOWN STAFF TO RE-SUBMIT THE FCT APPLICATION IN 2006 IF FUNDING FROM 2005 IS NOT CONFIRMED BY THE 2006 FCT CYCLE SUBMITTAL DEADLINE.

WHEREAS, the Town of Davie's rich heritage, agricultural past, rural atmosphere and equestrian lifestyle fosters a living and working environment unique to southeast Florida; and

WHEREAS, maintaining the Town's special sense of place and quality of life is of paramount importance to residents and visitors and is encouraged by the Town of Davie's Adopted Comprehensive Plan, and

WHEREAS, growth pressures in the Town, Broward County, and throughout Southeast Florida may irreversibly alter the Town's community character through the conversion of the remaining privately owned farms, ranches, and other scenic landscapes that provide a clear link to the Town's roots into residential and commercial development; and

WHEREAS, the mosaic of open spaces, recreational trails, and agricultural lands in the Town are irreplaceable resources that offer exceptional recreational and scenic opportunities for residents and visitors, and whose thoughtful protection provides the Town with environmental, aesthetic and economic benefits; and

WHEREAS, the Town identified the Ryan property as an important acquisition and an opportunity to create a unique, self-sustaining "Farm Park" and public open space that celebrates the Town's agricultural heritage; and

WHEREAS, on March 2, 2005, the Town approved the submittal of applications to the Broward Forever and Florida Communities Trust (FCT) land acquisition grant programs in 2005, requesting matching acquisition funds to assist the Town with the acquisition of the site; and

WHEREAS, the Broward County Safe Park and Land Preservation Bond Program approved an Open Space allocation in the amount of \$2 million on April 12, 2005 for the acquisition of the Ryan property, and the FCT grant application submitted in 2005 has a high probability of being approved for funding prior to the 2006 FCT funding cycle; and

WHEREAS, together these two grant programs may provide up to approximately 66% of the acquisition funds required to purchase the property; and

WHEREAS, the Town indicated in its FCT application that, if funded, it would complete the purchase with its own funds in advance of reimbursement by FCT; and

WHEREAS, the Trust for Public Land (TPL), a national nonprofit conservation organization, presently has a purchase contract to acquire the approximately 53.89-acre property to meet the timing needs of the landowners; and

WHEREAS, the generosity of the landowners and their desire to see the site protected and eventually owned by the Town has resulted in a sale price to TPL that is more than \$3 million below the appraised value as recently determined by American Realty Consultants, Inc.; and

WHEREAS, the strong support of the citizens of the Town to acquire sites like the Ryan property was demonstrated by their approval of a \$25 million open space bond measure on September 29, 2005; and

WHEREAS, TPL must commit to purchasing the property from the landowners for \$12.4 million on or before February 28, 2006; and

WHEREAS, it is the intent of TPL to convey the property to the Town for permanent protection within the timeframes estimated in the FCT grant application; and

WHEREAS, the landowners have asked that, upon acquisition by the Town, the park is named in part or in whole in honor of former Florida Governor Leroy Collins.

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

Section 1. The Town of Davie does hereby support the work of the Trust for Public Land to acquire the Ryan park property for the benefit of the public; and

Section 2. The Town Council directs the Town staff to begin working with TPL on completing and/or approving acquisition and other documents required by the Broward Safe Parks and Land Preservation Bond and FCT grant programs, including one additional appraisal and a Contingent Purchase and Sale contract between the Town and TPL that would be contingent upon the Town receiving notice from FCT that the Town's 2005 FCT application has been conceptually approved for funding; and

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

PASSED AND ADOPTED THIS _____ DAY OF _____, 2006

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2006.