



# Broward County

## Legislation Text

File #: 20-1964, Version: 1

### **Broward County Commission Regular Meeting**

**Director's Name:** Bertha Henry

**Department:** County Administration

**Division:** Parks & Recreation

### Information

#### Requested Action

MOTION TO APPROVE Construction Easement Agreement (Agreement) between Broward County and the City of Coconut Creek (City) to allow the construction and maintenance of fencing within a utility and landscape easement along the east boundary and part of the north boundary of the Willow Pond Natural Area, effective upon execution; and authorize the Mayor and Clerk to execute same. **(Commission District 2)**

#### Why Action is Necessary

Board of County Commissioners' approval is required to execute construction easement agreements.

#### What Action Accomplishes

This action will allow for the construction and maintenance of fencing within the utility and landscape easement on the Willow Pond Natural Area.

#### Is this Action Goal Related

No

#### Previous Action Taken

None.

#### Summary Explanation/Background

The Willow Pond Natural Area (Willow Pond), also known as the School Board Site, is owned by Broward County and managed by Broward County Parks and Recreation. Willow Pond is being damaged by regular all-terrain vehicle traffic, particularly in the area that is undergoing restoration. Staff proposes construction of a wood two-rail fence along portions of the property's border to limit further damage to the site. Utility and landscape easements were established in the 1989 plat, as shown in Exhibit 3, although no utility installation or landscape construction has occurred within those easements.

During the permitting process for construction of the fence, the City requested the County sign the Agreement. The Agreement includes the County's acknowledgement that the fence will be installed within a utility and landscape easement and may need to be removed by the County should the City need to use the easement. Willow Pond is located at Northwest 71<sup>st</sup> Place and Northwest 51<sup>st</sup> Terrace in Coconut Creek.

The Agreement has been reviewed and approved as to legal sufficiency by the Office of the County Attorney.

**Source of Additional Information**

Dan West, Director, Parks and Recreation Division, 954-357-8106

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

The cost to construct the fence is \$17,112 and is allocated in General Capital Funds.