



# Broward County

## Legislation Details (With Text)

<b>File #:</b>	20-283	<b>Version:</b>	1
		<b>Status:</b>	Agenda Ready
		<b>In control:</b>	County Administration - Real Property Section
<b>On agenda:</b>	2/11/2020	<b>Final action:</b>	2/11/2020
<b>Title:</b>	A. MOTION TO ADOPT Resolution No. 2020-059 accepting a donation of a 4,997 square foot parcel of wetlands located within West Lake Park in the City of Hollywood from Natalie G. Gerbig, Executrix of the Estate of Lloyd A. McBride, Deceased as part of the ongoing West Lake Park enhancement and enrichment program; and authorize the County Administrator to take all administrative actions to implement same. (Commission District 7)		
	(Transferred to the Consent Agenda.)		
	ACTION: (T-10:54 AM) Approved.		
	VOTE: 9-0. Commissioner Sharief and Vice-Mayor Geller voted in the affirmative telephonically.		
	B. MOTION TO AUTHORIZE County Administrator, or authorized designee, to take any and all necessary or advisable actions to acquire the remaining privately-owned lands within West Lake Park to protect wetlands, including but not limited to submitting offers, counteroffers, bids and proposals; executing letters of intent, memorandums of understanding and purchase agreements; and conducting required due diligence, with final documents subject to the approval of the Office of the County Attorney, and authorize the Real Property Director to execute and process normal and customary title closing documents. (Commission Districts 6 and 7)		
	(Transferred to the Consent Agenda.)		
	ACTION: (T-10:54 AM) Approved.		
	VOTE: 9-0. Commissioner Sharief and Vice-Mayor Geller voted in the affirmative telephonically.		
<b>Sponsors:</b>			
<b>Indexes:</b>	Established Commission Goals		
<b>Code sections:</b>			
<b>Attachments:</b>	1. Exhibit 1 - Resolution Accepting Donation, 2. Exhibit 2 - Property Appraiser Data Sheet, 3. Exhibit 3 - Aerial Location Map		

Date	Ver.	Action By	Action	Result
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### Broward County Commission Regular Meeting

**Director's Name:** Thomas Hutka

**Department:** Public Works      **Division:** Real Property

### Information

#### Requested Action

A. MOTION TO ADOPT Resolution No. 2020-059 accepting a donation of a 4,997 square foot parcel of wetlands located within West Lake Park in the City of Hollywood from Natalie G. Gerbig, Executrix of the Estate of Lloyd A. McBride, Deceased as part of the ongoing West Lake Park enhancement

and enrichment program; and authorize the County Administrator to take all administrative actions to implement same. **(Commission District 7)**

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***(Transferred to the Consent Agenda.)***

**ACTION: (T-10:54 AM) Approved.**

**VOTE: 9-0. Commissioner Sharief and Vice-Mayor Geller voted in the affirmative telephonically.**

### **Why Action is Necessary**

Motion A: Board of County Commissioners' approval is required to accept a donation of real property pursuant to Broward County Administrative Code, Section 18.63.

Motion B: Board of County Commissioners' approval is required to delegate authority to the County Administrator.

### **What Action Accomplishes**

Motion A: Adds land to West Lake Park inventory and provides enhancement to the existing park at minimal cost to the County.

Motion B: Authorizes the County Administrator to take any and all necessary or advisable actions to acquire the remaining privately-owned properties within West Lake Park.

### **Is this Action Goal Related**

Yes

### **Previous Action Taken**

None.

### **Summary Explanation/Background**

THE PUBLIC WORKS DEPARTMENT/FACILITIES MANAGEMENT DIVISION/REAL PROPERTY SECTION AND PARKS AND RECREATION DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

This item supports the Board's Vision of "A Community With Vibrant Arts, Culture, Recreation and Learning Opportunities," and the goals associated with it: Goal No. 1, to "Provide diverse artistic, cultural, educational and historical amenities and programs that contribute to add to a vibrant, multicultural and economically viable community," and Goal No. 2, to "In coordination with our community partners, maintain and enhance a premier system of parks and libraries that provide a variety of recreational, cultural and learning opportunities for our residents and visitors."

MOTION A: The subject property measuring a total of 4,997 square feet is located within the boundaries of West Lake Park in Hollywood and is identified by Folio Number 5042-35-01-1010. The proposed acceptance of the donation is in keeping with a Parks and Recreation Division program to systematically acquire outstanding, privately-owned parcels within West Lake Park. As lots are added to the inventory of West Lake Park, the Parks and Recreation Division continues to work through its enhancement plan to enrich the park. This is an area where extensive environmental evaluation has occurred, and monitoring is performed by the State of Florida Department of Environmental Protection on an ongoing basis.

In 2019, the Broward County Property Appraiser assessed the property for ad valorem tax purposes at \$7,500 (\$1.50 per square foot). There have been no real estate transactions involving this property in the past five years.

This property is scheduled for tax deed auction on February 19, 2020 for non-payment of taxes. The County will be responsible for the payment of the outstanding taxes which are approximately \$3,100.

MOTION B: Staff continues to work diligently to acquire the remaining privately-owned parcels within West Lake Park. The County has had an active acquisition program for the last 40 years seeking to purchase and protect these parcels within the footprint of West Lake Park whenever the properties become available. These are high quality and intact mangrove wetland parcels.

In the past ten years, the Real Property Section has negotiated purchases of submerged wetlands in West Lake Park ranging from \$1.41 to \$2 per square foot. Currently, 48 privately-owned parcels remain within the park boundary. Many of the remaining parcels have issues such as unwilling sellers, probate or title problems, unreasonable price offers or non-payment of taxes.

In seeking to protect the pristine wetlands of West Lake Park from potential development, research or exploratory drilling, staff needs the flexibility to be able to purchase these remaining parcels. In some instances, the County may be able to acquire a parcel before it goes to tax deed auction, where the County risks being out-bid. In addition, staff needs the authorization to be able to attend tax deed auctions to try to purchase the land in the event it cannot be acquired prior to auction. Finally, in situations where a willing seller cannot be located, staff needs the ability to acquire and close on the parcels quickly before the seller loses interest in selling.

Staff is requesting the County Administrator be given the authority to take any and all necessary or advisable actions to acquire privately held properties within the boundary of West Lake Park when Board of County Commissioner approval would put the County at a disadvantage due to timing issues.

Any documents executed by the County Administrator would be subject to approval of the Office of the County Attorney.

**Source of Additional Information**

Purvi A. Bhogaita, Director, Real Property Section, (954) 357-7333

Thomas J. Hutka, P.E., Director, Public Works Department, (954) 357-6410

Dan West, Director, Parks and Recreation, (954) 357-8106

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

Although this is a donation, Parks & Recreation is providing the funds to pay off the outstanding real estate taxes which are approximately \$3,100 plus closing costs, if any, which are expected to be nominal. (Chart field 10010 - 48100010 - 560020).