

LAND ACQUISITION EXECUTIVE SUMMARY

PROJECT: Shingle Creek

COUNTY: Osceola County

PURPOSE: Amend the Interlocal Agreement with Osceola County and City of Kissimmee

FUNDING: \$2,000,000 – Mitigation Funds

HIGHLIGHTS: Amendment to include additional lands, increase District's commitment by \$2,000,000, revise conservation easement to be recorded in favor of District, require land to be managed in accordance with Cooperative Agreement, dated August 26, 2008, and the Shingle Creek Regional Park Management Plan, dated August 31, 2007, and extend the term of the Interlocal Agreement

CONSIDERATION: On October 11, 2001, the Governing Board of the District approved the Central Florida Beltway Conceptual Mitigation Plan, which identified the Shingle Creek Project (Project) as a priority project due to its proximity to the Beltway impacts.

On February 2, 2006, the District, Osceola County (County) and the City of Kissimmee (City) entered into an Interlocal Agreement (the "Agreement"), as acquisition partners in the Project. The Agreement committed District funds up to Five Hundred Thousand Dollars (\$500,000.00) for the acquisition of approximately eleven acres (11) acres within the project area. The County and City would acquire fee title, manage the lands and record a conservation easement upon the land in favor of the District. On February 27, 2008, the Agreement was amended to include a funding availability provision.

The parties desire to amend the Agreement again to (1) include the acquisition of any additional parcels in the Project area, as identified on Exhibit "A" attached, (2) increase the District's funding commitment by Two Million Dollars (\$2,000,000), (3) revise the form of the conservation easement to be recorded by the County and the City in favor of the District over the additional lands, (4) require the parcels to be managed in accordance with the Cooperative Agreement, dated August 26, 2008, between the District, the County and the City, in addition to the Shingle Creek Regional Park Management Plan, dated August 31, 2007, and (5) extend the term of the Agreement until the earlier of May 1, 2011 or the date by which (i) the District has contributed \$2,000,000 towards the purchase of the additional parcels and (ii) the County and the City have recorded conservation easements in favor of the District over said lands in the public records of Osceola County, Florida.

FISCAL IMPACT: The District proposes to commit additional wetland mitigation funds from the Central Florida Beltway Trust Fund, in an amount not to exceed \$2,000,000. The District's financial participation in the purchase of any Project parcel shall not exceed the appraised value of the parcel.

RECOMMENDATION: That the Governing Board of the South Florida Water Management District approve the Second Amendment to the Interlocal Agreement with Osceola County and the City of Kissimmee to (1) include additional lands, (2) commit an additional \$2,000,000 in mitigation funds for the acquisition of lands in the Shingle Creek Project, (3) revise the form of the conservation easement to be recorded by the County and the City in favor of the District over the additional lands, (4) require the land to be managed in accordance with Cooperative Agreement, dated August 26, 2008, in addition to the Shingle Creek Regional Park Management Plan, dated August 31, 2007, and (5) extend the term of the Interlocal Agreement; and authorize the Governing Board chairman to execute the amendment.

Governing Board Members

April 09, 2009

Page Two

Prepared by:

Barbara Katz
Senior Professional - Acquisition
Land Acquisition Department

Date

Reviewed by:

Ruth P. Clements, Director
Land Acquisition Department

Date

Approved by:

Kenneth G. Ammon, P.E.
Deputy Executive Director
Everglades Restoration Resource Area

Date