



Legislation Text

File #: 150262, Version: 1

Notice of Limitation of Use for Sweetwater Wetlands Park (B)

Executive Summary:

Staff recommends approval of the execution of a Notice of Limitation of Use land owned by the City of Gainesville and included in the Sweetwater Wetlands Park also known as the Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project.

The City Commission approved a contract for architectural and engineering services for the final design of the Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project on February 18, 2010. Authorization was granted to meet regulatory obligations to improve water quality associated with the Florida Department of Environmental Protection (FDEP) permits for the Main Street Water Reclamation Facility and the Municipal Separate Storm Sewer System. Preliminary plans, sixty percent and final plans for the public use facilities were presented to the City Commission in accordance with the City's Vertical Capital Projects procedure. The City Commission approved the Construction Manager at Risk with Guaranteed Maximum Price contract award on January 20, 2011. Staff was also authorized to pursue grant funding for public use facilities at that time.

FDEP awarded a \$200,000 Recreational Trails Program grant to the City of Gainesville on September 18, 2012. Grant funds were used for the construction of trails and boardwalks within the Sweetwater Wetlands Park. A condition of the Grant requires that a Notice of Limitation of Use statement be recorded in accordance with Chapter 62S-2 F.A.C. for land developed with grant assistance. The limitation shall apply to the thirty-six plus or minus (36±) acres owned by the City (map and legal description attached) and shall dedicate the land and its improvements in perpetuity as an outdoor recreation area for the use and benefit of the general public. The Dedication reserves the right for the City of Gainesville to convert any part of the project area or the facilities thereon, to other than FDEP approved recreational uses, and to replace the area and facilities at its own expense or in conjunction with a FDEP approved project of comparable or greater scope and quality.

Full disbursement of the Recreational Trails Program grant funds, will be received from FDEP upon execution and the subsequent recording in the Public Records of the Notice of Limitation of Use/Site Dedication.

The City Commission:

1) Approve the Notice of Limitation of Use/Site Dedication in accordance with Chapter 62S-2, Florida Administrative Code (F.A.C.) for land developed with grant assistance; and 2) Authorize the Mayor and the Clerk of the Commission to execute the Notice of Limitation of Use/Site Dedication document, subject to approval as to form and legality by the City Attorney.

