

ARTICLE VII. - LAND ACQUISITION PROGRAM

Sec. 2-395. - Title.

This article may be referred to as the Monroe County Comprehensive Plan Land Authority Ordinance.

(Code 1979, § 9.3-1; Ord. No. 31-1986, § 1)

Sec. 2-396. - Purpose.

This article is adopted for the purpose of establishing a land acquisition program in the county as a means of implementing the goals, policies and objectives of the county comprehensive plan, including, but not limited to:

- (1) The protection of property rights of small landowners;
- (2) The consolidation of substandard lots;
- (3) The provision of land for the development of affordable housing;
- (4) The preservation of environmentally sensitive lands;
- (5) The preservation of the habitats of rare, threatened or endangered species of plants and animals;
- (6) The enhancement of the community character of the county; and
- (7) The protection of open space, scenic corridors and viewsheds.

(Code 1979, § 9.3-2; Ord. No. 31-1986, § 2)

Sec. 2-397. - Land authority—Created.

There is hereby created a county comprehensive plan land authority (hereinafter "the land authority"). The board of county commissioners shall be the governing body of the land authority. A chair and vice-chair shall be elected annually by the members of the land authority.

(Code 1979, § 9.3-3; Ord. No. 31-1986, § 3)

State law reference— Land authority authorized, F.S. § 380.0663.

Sec. 2-398. - Same—Powers of.

The land authority is hereby empowered:

- (1) To sue and be sued, to have a seal, to alter the name at its pleasure, and to authorize the use of a facsimile thereof;
- (2) To make and execute contracts and all other legal instruments necessary or convenient to carry out the purposes of this article and the land authority;
- (3) To undertake and carry out studies and analyses of innovative comprehensive plan implementation techniques, including acquisition of fee or less than fee interests in real property;
- (4) To undertake and carry out studies and analyses of the developability of land under the county comprehensive plan and land development regulations;
- (5) To undertake and carry out studies and analyses of the value of real property;

- (6) To acquire and dispose of real and personal property or any interest or estate therein, including, but not limited to, fee or less than fee interests such as easements, life estates, development rights, leases, lease-back arrangements and options whenever necessary or convenient to carry out the purposes of this article and F.S. §§ 380.0661—380.067 by any means, including, but not limited to, purchase, sale or exchange;
- (7) To borrow money by any lawful means, including the issuance of bonds, for the purposes provided in this chapter and in F.S. §§ 380.0661—380.0675 and to provide for and secure payment therefor and to provide for the rights of the holders thereof;
- (8) To purchase bonds of the land authority out of any funds or monies available to the land authority therefor and to hold, cancel or resell such bonds;
- (9) To invest any funds held by the land authority not required for immediate disbursement in such investments as may be authorized for trust funds under F.S. § 215.47 and in any investment made on behalf of the land authority by the state board of administration or by another trustee appointed for the purpose;
- (10) To contract for and to accept in any form whatsoever gifts, grants, loans or other aid and assistance from the United States government, the state, the South Florida Regional Planning Council, the county, or any other person, association or corporation;
- (11) To ensure and procure insurance against any loss in connection with any action of the land authority, including the issuance of bonds and to pay premiums therefor;
- (12) To make such rules and regulations as are necessary and convenient to carry out the purposes of this article and the land authority pursuant to either the provisions of F.S. ch. 120 or by resolution;
- (13) To employ personnel, including an executive director, as are necessary and convenient to carry out the purposes of this article and the land authority;
- (14) To engage the services of private consultants on a contract basis as is necessary and convenient to carry out the purposes of this article;
- (15) To identify and propose for acquisition parcels of land within the county that are appropriate for acquisition by the state with funds from the conservation and recreation land trust fund (CARL) or any other program of land acquisition undertaken by any governmental agency; and
- (16) To do any and all things necessary or convenient to carry out the purposes of this article or the land authority.

(Code 1979, § 9.3-4; Ord. No. 31-1986, § 4; Ord. No. 41-1987, § 2)

State law reference— Powers of land authority, F.S. § 380.0666.

Sec. 2-399. - Same—Meetings.

- (a) *Meetings.* A meeting of the governing body of the land authority shall be held upon the call of the chair or at the request of three members of the land authority. All meetings shall be open to the public, and notice of meetings of the authority shall be given as required for meetings of the board of county commissioners. At least one meeting shall be held quarterly.
- (b) *Quorum and voting.* A majority of the governing body of the land authority shall constitute a quorum; provided, however, that no action shall be taken by an affirmative vote of less than a majority of the total membership of the governing body.
- (c)