



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 1518, **Version:** 1

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### **Subject:**

Discussion Re: Interlocal Agreement with the City of Palm Bay for the St. Johns Heritage Parkway Intersection and Babcock Street - Districts 3 and 5

### **Fiscal Impact:**

Option 1: For the St. Johns Heritage Parkway Intersection Project, there is no fiscal impact to the County. For the future Babcock Street Widening, the County will set aside 50% of the new revenue from transportation impact fees received for any new development in the unincorporated area in that portion of the south mainland benefit district located south of Grant Road and west of the Florida East Coast Railway right-of-way for the future widening of Babcock Street south of Malabar Road. The reconstruction efforts by the County remain unchanged from current commitments.

### **Dept/Office:**

Public Works Department/Finance and Contracts Administration

### **Requested Action:**

It is requested the Board of County Commissioners discuss and determine Board action pertaining to the Interlocal Agreement with the City of Palm Bay for the St. Johns Heritage Parkway Intersection and Babcock Street. If the Board determines to enter into agreement, it is requested the Board approve and authorize the Chair to execute the attached Interlocal Agreement.

### **Summary Explanation and Background:**

Since February 11, 2020, staff for the County and City have been collaborating to resolve language to draft an Interlocal Agreement using direction as provided by the Board. The major points of the Interlocal Agreement include:

1. County agrees to make reasonable effort to fund and reconstruct existing Babcock Street in its current two-lane configuration south of Malabar Road. This obligation continues after transfers as described in items 5. b and c. The reconstruction may occur in portions over time as funding becomes available and as determined by the County. Reconstruction limits, methods, and specifications will be at the sole discretion of the County. The restoration efforts shall be restorative in nature such as Full Depth Reclamation (F.D.R.) or milling with resurfacing. Such efforts shall not be asphalt preservation in nature such as micro-resurfacing and asphalt rejuvenation.
2. City will complete the intersection improvements at Babcock Street and the newly constructed St. Johns Heritage Parkway in three phases in substantial conformance with the County permits.
3. City will accept ownership and maintenance responsibilities of the portion of Babcock Street necessary for the Intersection Project upon the Effective Date of the Interlocal Agreement.
4. City and County agree to partner in efforts to complete the future widening of Babcock Street south of

Malabar Road, as funding becomes available. Upon the Effective Date of the Interlocal Agreement, the City and County agree to set aside 50% of their respective transportation impact fees received from designated areas for the future widening of Babcock Street. The County will also seek separate agreement of the Towns of Malabar and Grant-Valkaria to set aside any transportation impact fees collected within the town limits.

5. City reaffirms its prior commitment as stated in the Joint Planning Agreement, dated July 26, 2016 and further agrees to take over ownership and maintenance of any segment of Babcock Street from the south City limits to Malabar Road under the following conditions:
  - a. After reconstruction and widening to four lanes (Future Project) or,
  - b. The Annual Average Daily Traffic (A.A.D.T.), as determined by the Space Coast Transportation Planning Organization (T.P.O.), exceeds the Maximum Acceptable Volume (M.A.V.) for any segment of Babcock Street south of Malabar Road to the southerly city limits.
  - c. For any segment of Babcock Street that already exceeds the Maximum Acceptable Volume (M.A.V.), the City will assume ownership and maintenance upon reconstruction of the current two-lane configuration or two years, whichever is later.
6. The Interlocal Agreement addresses annexation by the City as they accept ownership and maintenance of Babcock Street segments.

The attached Interlocal Agreement outlines the commitments, terms and conditions of the partnership between the City and County. The City of Palm Bay is currently expected to consider this Interlocal Agreement at a Special Council Meeting on April 22, 2020.

Please find below options for the Board's consideration:

Option 1: Approve and authorize the Chair to execute the Interlocal Agreement with the City of Palm Bay for the St. Johns Heritage Parkway Intersection and Babcock Street.

Option 2: Do not approve the Interlocal Agreement.

Option 3: Provide staff with other direction.

### **Clerk to the Board Instructions:**

Please return the Interlocal Agreement with the City of Palm Bay for the St. Johns Heritage Parkway Intersection and Babcock Street to the Public Works Department.