



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 2096, **Version:** 1

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### **Subject:**

Permission to Surplus, Develop, and Advertise for Sale via Sealed Bidding 1.37 Acres of Vacant Industrial Land Located at 350 Gus Hipp Boulevard, Rockledge FL, 32955

### **Fiscal Impact:**

TBD - Minimum Bid Price \$180,000.00

### **Dept/Office:**

Central Services / Asset Management

### **Requested Action:**

It is requested that the Board of County Commissioners:

- Surplus the 1.37 acres of vacant industrial land located at Gus Hipp Boulevard Rockledge, FL 32955
- Authorize Asset Management to develop and advertise for sale via sealed bidding the sale of the property as described above.

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

On July 22, 2020 the Brevard County Sheriff's Office emailed the County Manager about selling or otherwise repurposing the vacant property. This parcel was purchased by the Sheriff's Office under Sheriff Parker when the Sheriff's office was authorized to acquire the Gus Hipp Investigative facility (this is the vacant adjacent parcel to the facility) with the intent to build a critically needed Evidence Storage and Maintenance Facility to could also be used for onsite forensic evidence processing. The email is attached for review.

On July 28, 2020 an inquiry was sent to County Departments to determine if there was a need to retain the property for County use. On August 13, 2020 County Management was notified that none of the departments requested use of the subject parcel. At that time, an appraisal was requested for the subject property. The appraisal was completed on Friday September 4, 2020 and is attached hereto for review. The appraisal stated that the market value of a fee simple estate of the subject property as of September 1, 2020 was \$180,000.00.

Florida Statute 125.35 states:

The Board of County Commissioners is expressly authorized to sell and convey any real or personal property, and to lease real property, belonging to the County, whenever the board determines that it is to the best interest of the County to do so, to the highest and best bidder for the particular use the board deems to be the highest and best, for such length of term and such conditions as the governing body may in its discretion determine.

Brevard County Code of Ordinance Chapter 2 Article VIII Section 2-244; Sale or Lease of Real Property

or Modular Structure by a Bidding Process states:

(a) **Upon a supermajority vote**, whenever the board of county commissioners determines that it is in the best interest of the county to sell or lease real property or modular structures, the board may direct the utilization of the procedures for requiring bids on the property found in F.S. § 125.35, or may utilize the alternative minimum base bid procedures provided for in this article. Notice of the intent to consider the use of such alternative minimum base bid procedures for the disposition of county real or personal property shall be published on the county internet website at least one week prior to the date of the meeting at which the county commission considers the use of the procedure. Such notice shall identify, with as much specificity as is reasonable, the real or personal property which is proposed for lease or sale.

(b) A minimum base bid for the lease or sale of real property or modular structures may be determined by:

(1) A written offer procured by a real estate broker selection pursuant [section 2-248](https://library.municode.com/fl/brevard_county/codes/code_of_ordinances?)  
[<https://library.municode.com/fl/brevard\\_county/codes/code\\_of\\_ordinances?](https://library.municode.com/fl/brevard_county/codes/code_of_ordinances?)

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(2) An unsolicited written offer made by a prospective lessee or purchaser.

(c) After determining the minimum base bid, the board of county commissioners may elect to advertise for bids on the property which is the subject matter of the written offer. The election to advertise for bids must be brought up as a regular agenda item at a duly noticed regular public meeting of the county commission at which members of the public are afforded the opportunity to comment on the proposed sale or lease. A copy of this article shall be made available for review by any member of the public at the location where members of the public sign up to speak on the item. The advertisement shall specify the minimum base bid and the specific terms and conditions, if any, to be bid upon. All bids shall be sealed and must contain one percent or \$150.00 whichever amount is greater, as an earnest money deposit.

(d) Upon receipt of the sealed bids, the property shall be sold or leased to the bidder submitting the highest, qualified, responsive and best bid. The offer of the prospective purchaser used to establish the minimum base bid, shall be deemed to constitute the bid of the lessee/purchaser unless a second sealed bid is submitted by the prospective lessee/purchaser. The county commission reserves the right to reject any bid, including the minimum base bid, that is not reasonably close to the fair market value of the property at the time bids are opened.

(e) If no other bids are received or if no bid exceeds the minimum base bid, the offer used as the minimum base bid shall be accepted by the county only if such minimum base bid is reasonably close to the fair market value of the property. If other bids are received, and at least one such bid is reasonably close to the fair market value of the property, the sale or lease shall be made to the highest and best bidder.

On July 21, 2015 the Board of County Commissioners directed staff to begin selling surplus property by either private sale or by bidding process, pursuant to Florida Statutes 125.35, and the Code of Ordinances. This parcel was never declared surplus property and has not been previously advertised for sale.

In accordance with the above language, Central Services is requesting that this parcel be determined surplus in accordance with County policy and also requests permission to develop an Invitation to Bid with a

minimum acceptable price of \$180,000. If approved by the Board, the bid package will be developed and advertised in accordance with statute and County Policy. Upon opening of the bids, a recommendation will be brought back to the Board for consideration.

If the Board then approves a final sale of this parcel, the funds received (less the costs of appraisal and asset management administrative fee) would be placed back into the County's General Fund.

**Clerk to the Board Instructions:**

None