



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 2140, **Version:** 1

Subject:

Request Approval for the Sale of Surplus Real Property, Located at 472 Gray Road, Cocoa by Sealed Bidding Process

A super majority vote of the Board of County Commissioners is required to approve this item per Sec. 2-244, Code of Ordinances of Brevard County.

Fiscal Impact:

Revenue from sale of parcel shall be returned to Natural Resources Fund 1112/R30333 less advertising and administrative fees and the parcel will be re-inserted on the tax rolls

Dept/Office:

Central Services

Requested Action:

It is requested that the Board of County Commissioners;

1. Authorize the advertisement for sale of a surplus parcel of real property via the sealed bidding process in accordance with Florida Statute §125.35 (1)(a);
2. Establish a minimum bid requirement of \$87,000.00 based on the most recently completed appraisal of the parcel

Summary Explanation and Background:

The subject parcel is a 1.5-acre parcel identified as Parcel I.D 24-35-25-00-758 and Tax I.D. 2407634, located at 472 Gray Rd, Cocoa. The parcel is located in Brevard County District 2.

In 2011, NRMD was in the process of constructing a flood relief project in the West Cocoa area with funding from the Department of Economic Opportunity and FEMA HMGP funding. The Engineer of Record saw an opportunity to improve the project and further reduce flooding by creating a new ditch for the runoff through parcel 24-35-25-00-758. The County acquired the parcel in April 2012 which included a house on city water and septic system (the condition of the septic system is unknown). The ditch construction project required the main water service to the house to be severed. The County has no use for the house so after the project was completed, NRMD started the process of splitting the property and selling the parcel with the house.

The parcel was surplus by the Natural Resources department and there is no longer a need or use by the County. Based upon the recent appraisal, the requested minimum bid value of \$87,000.00 was derived from considering the cost of demolishing the dilapidated structure on site. Approval is requested to dispose of this parcel by utilizing the bidding process.

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?)
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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.

Upon Bid Opening, all bids will be presented to the Board for approval to sell the parcel to the highest bidder or to reject all bids received.

Clerk to the Board Instructions:

copies to: Asset Management
Finance
Budget