



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 2256, **Version:** 1

Subject:

Amendment #10 to Management Lease Agreement #4263 between Brevard County Environmentally Endangered Lands (EEL) Program and the State of Florida and Partial Release from Lease Agreement #4263

Fiscal Impact:

Of the 1,446.52 +/- acres Amendment #10 will add, 331.49 +/- acres are currently in actively managed areas and 1,114.03 +/- acres are in areas that are currently not actively managed because these small parcels are scattered among privately owned parcels. Active management of the 1,114.03 +/- acres is delayed until some future point in time if land purchases resume and connectivity is created among parcels.

Dept/Office:

Parks and Recreation Department

Requested Action:

It is requested that the Board of County Commissioners approve and authorized the Chair to execute Amendment #10 to Board of Trustees of the Internal Improvement Trust Fund of the State of Florida Lease Agreement #4263 for the addition and removal of parcels that have been acquired jointly between the County (EEL Program) and the State, and authorize the Chair to sign related documents upon County Attorney's Office and Risk Management approval.

Summary Explanation and Background:

On January 23, 1992, the County Commission authorized the submittal of three Conservation and Recreation Lands Program (CARL) proposals to the State and pledged a 50% match in acquisition funding and a commitment of management responsibility for the lands acquired. On May 24, 1999, the County Commission approved the Multi-Party Acquisition Agreement between Brevard County and the State of Florida for the acquisition lands within the CARL project areas.

On April 25, 2000 the Board authorized a management lease agreement with the State of Florida for properties within the Florida Forever Project areas. The Lease encompassed 1,382 +/- acres. This Lease Agreement #4263 serves as the one management lease for all properties acquired in this project area and the County accepted management responsibility of all the properties added to this Lease, at the time they were proposed as part of the Florida Forever project.

- On August 17, 2001, the Board of County Commissioners approved the 1st Amendment to Lease #4263, that added 44 +/- acres.
- On April 2, 2002, the Board of County Commissioners approved the 2nd Amendment to Lease #4263, that added 653 +/- acres.
- Due to a clerical error at the State level, Amendment 3 was prepared as Amendment 4.
- On May 10, 2005, the Board of County Commissioners approved the 4th and 5th Amendments to

Lease #4263, that added a total of 251 +/- acres.

- On January 10, 2006, the Board of County Commissioners approved the 6th, 7th and 8th Amendments to Lease #4263, that added a total of 2,473 +/- acres.
- On May 16, 2006, the Board of County Commissioners approved the 9th Amendment to Lease #4263, that added 102 +/- acres.

In 2010 the State began the preparation of Amendment #10, but due to State administration and significant State staffing changes, the amendment was never prepared by the State and submitted to the County for ratification. Several inquiries were made by County staff regarding the status of Amendment #10 but it was not received for staff review until 2017. County staff review identified some discrepancies which prompted the State to audit their leases for accuracy. The current amendment was provided by the State and includes the corrections for the discrepancies.

Attached is Amendment #10 to Lease #4263, that will add a total of 1,446 +/- acres. This amendment includes all the remaining lands acquired under the EEL program that need to be amended into Lease #4263. 331 +/- acres of this lease amendment include lands that the County is currently managing. 1114 +/- acres of the amendment are within the Grant / Valkaria mega parcel area which currently has no active management occurring due to the lack of continuity of the conservation parcels. All the lands included in this amendment were acquired between 2007 and 2011.

The Partial Release from Lease #4263 will remove 11.99 acres (7 parcels) that were incorrectly added to Lease #4263 during previous amendments. The lands being removed were to have been included in a different management lease with the Florida Fish and Wildlife Conservation Commission (FWCC) who manages lands that are directly adjacent to lands managed under Lease #4263 by the County. Approval of the Partial Release will remove the parcels from the County's lease for subsequent addition to FWCC's lease.

Clerk to the Board Instructions:

Please return executed Amendment #10 and Partial Release of Lease #4263 to Brevard County Environmentally Endangered Lands (EEL) Program