



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 4791, **Version:** 1

Subject:

Approval Re: Second Amendment to Interlocal Agreement Regarding St. Johns Heritage Parkway Intersection and Babcock Street - Districts 3 and 5

Fiscal Impact:

None

Dept/Office:

Public Works Department/Finance and Contracts Administration

Requested Action:

It is requested the Board of County Commissioners approve and authorize the Chair to execute the Second Amendment to Interlocal Agreement Regarding St. Johns Heritage Parkway Intersection and Babcock Street providing for the third extension to October 27, 2022 for the City of Palm Bay to complete the right-of-way acquisition for Phase 3 and authorize the County Manager to grant subsequent time extensions if requested by the City.

Summary Explanation and Background:

On April 21, 2020, the Board of County Commissioners approved the Interlocal Agreement (ILA) regarding the St. Johns Heritage Parkway Intersection and Babcock Street with the City of Palm Bay which was recorded on April 30, 2020. The ILA set out certain deadlines by which the City would acquire the right-of-way for Phase 3 of the intersection project. On August 3, 2021, the Board of County Commissioners approved the Amendment to the ILA which authorized the County Manager to administratively grant two time extensions: (1) the first was up to an additional 120 days; extended to April 30, 2022; and (2) the second was up to an additional 90 days; extended to July 29, 2022. Per the Amendment, any subsequent extensions must be granted by the Brevard County Board of County Commissioners.

The City has made substantial progress to complete the right-of-way acquisition; however, on June 16, 2022, the City requested a third extension for an additional ninety days from July 29, 2022. The Second Amendment will grant the third extension to October 27, 2022 and authorize the County Manager to grant reasonable time extensions if subsequently requested by the City. If a request for an extension is deemed not to be reasonable by the County Manager, the City must seek approval from the Brevard County Board of County Commissioners. On July 7, 2022, the City Council of Palm Bay approved the Second Amendment to the Interlocal Agreement Regarding the St. Johns Heritage Parkway and Babcock Street Intersection. In accordance with Administrative Order 29, the Second Amendment has been reviewed and approved by the County Attorney's Office, Risk Management and Purchasing Services.

Clerk to the Board Instructions:

Please return the Second Amendment to the Public Works Department for recordation.