



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 5802, **Version:** 1

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### **Subject:**

Interlocal Agreement with the Town of Malabar, re: the Management of the Malabar Scrub Sanctuary

### **Fiscal Impact:**

The Interlocal Agreement provides for the County to relocate certain trails within the Malabar Scrub Sanctuary. The estimated cost of the trail relocation is \$35,000.

### **Dept/Office:**

County Attorney's Office

### **Requested Action:**

It is requested that the Board of County Commissioners approve the attached *Interlocal Agreement Between Brevard County, Florida, and the Town of Malabar, Florida, Regarding the Management of the Malabar Scrub Sanctuary*, and authorize the Chair to sign the Interlocal Agreement upon approval.

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

On May 1, 2023, the Board of County Commissioners held a joint public meeting with the Town of Malabar Town Council pursuant to Chapter 164, Florida Statutes, the Florida Governmental Conflict Resolution Act. At that meeting, the Board of County Commissioners and the Town Council arrived at a resolution to an ongoing dispute between the County and the Town regarding the County's management of the Malabar Scrub Sanctuary, and certain permitting requirements and fees imposed by the Town.

Pursuant to section 164.1057, Florida Statutes, the attached Interlocal Agreement implements the understanding reached by the elected officials of the County and the Town at the joint public meeting. The Malabar Town Council approved the Interlocal Agreement at its regular meeting on May 15.

When the Interlocal Agreement is fully executed and recorded, the County will voluntarily dismiss the pending lawsuit between the County and Town styled *Brevard County, Florida v. Town of Malabar*, Case No. 05-2022-CA-022983.

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

Please record the fully executed Interlocal Agreement in the public records of Brevard County and return two copies with recording information to the County Attorney's Office.