

Meeting Date
January 26, 2016



AGENDA	
Section	Consent
Item No.	<i>II.C.2</i>

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Approval: Changes to Board Policy BCC-70, Management of Real Property
DEPT/OFFICE:	Central Services Department /Asset Management

Requested Action:
 Request approval from the Board for the recommended changes to Board Policy BCC-70, Management of Real Property

Summary Explanation & Background:

As part of the Sunset Review Policy requirement, staff has reviewed the Board's policy that establishes the management of real property, limits the donation of County-owned real property, and specifies Board directive regarding the disposal of surplus property.

Staff has reviewed the policy and recommends the following changes be incorporated into the policy:

Update the originating department.

Fiscal Impact:
 FY 2015/2016: There is no fiscal impact to this action.
 FY 2016/2017: There is no fiscal impact to this action.

Contact: Shannon Maginnis, Administrative Support Manager, 633-2050
Robert.Maginnis@brevardcounty.us
 Teresa Camarata, Central Services Director, 637-5492
Teresa.Camarata@brevardcounty.us

Clerk to the Board instruction:

Exhibits Attached: 1) Sunset Review Form; 2) Board Policy BCC-70, with markup and final

Contract /Agreement (If attached):		Reviewed by County Attorney	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
County Manager	<i>[Signature]</i>	Assistant County Manager	Frank Abbate	<i>[Signature]</i>			Department Director / Extension	
Stockton Whitten		Assistant County Manager					Teresa Camarata, Central Services Director	
							Extension 52543	<i>[Signature]</i>



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
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Tammy.Rowe@brevardclerk.us

January 27, 2016

M E M O R A N D U M

TO: Stockton Whitten, County Manager

RE: Item II.C.2., Changes to Board Policy BCC-70, Management of Real Property

The Board of County Commissioners, in regular session on January 26, 2016, approved the recommended changes to Board Policy BCC-70, Management of Real Property. Enclosed is a fully executed copy of the Brevard County Policy BCC-70.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/af

Encls. (1)

cc: Central Services Director

POLICY

TITLE: Management of Real Property

NUMBER: BCC-70
CANCELS 02/19/2008
APPROVED: February 4, 2016
ORIGINATOR: Asset Management
REVIEW: February 4, 2019

I. OBJECTIVE

To limit the donation of County owned real property; and specify Board directive regarding disposing of surplus property.

II. DEFINITIONS AND REFERENCES

- A. Florida Statutes, Section 125.38 - Sale of County property to the United States, or state.
- B. Florida Statutes, Section 125.35– County authorized to sell real and personal property and to lease real property.
- C. Florida Statutes, Section 125.411 – Form of deed of conveyance of title for lands held by the County.
- D. Chapter 2, Article VIII, Brevard County Code of Ordinances – Establishes procedures for the sale or lease of surplus real property or modular structures.
- E. Real Property - Land and/or improvements affixed to the land.

III. DIRECTIVES

- A. Donation of Real Property
 - 1. It is the policy of the Board of County Commissioners not to donate County owned real property.
 - 2. In accordance with Section 125.38, Florida Statutes, the Board may consider exceptions to this policy under the following circumstances/guidelines:
 - (a) The requesting agency is providing a service to local residents under a contract with the County.
 - (b) The agency is providing a service to local residents which the County would otherwise have to provide.
 - (c) It is determined that an agency or organization is the sole provider of a community service which the Board deems critical/necessary to the public safety, and/or welfare.
 - (d) It is cost effective to the County to transfer the maintenance costs of a facility to an agency who is meeting a public purpose.

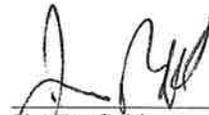
3. Any donations should contain a reverter or value recovery clause should the agency discontinue the service which justified the initial donation.

B. Disposal of Surplus Property

1. In accordance with Section 125.35, Florida Statutes, the Board shall sell, convey, or lease real property when it becomes surplus and unneeded for current or future County use.
2. The sale or lease of County owned real property or modular structures shall be conducted in accordance with Chapter 2, Article VIII of the Brevard County Code of Ordinances.

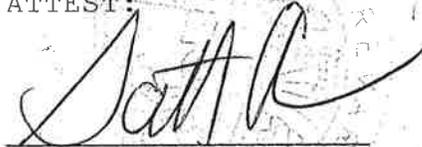
IV. RESERVATIONS OF AUTHORITY

The authority to issue and/or revise this policy is reserved to the Board of County Commissioners.



Jim Barfield, Chairman
Brevard County Board of County Commissioners

ATTEST:



SCOTT ELLIS, CLERK

As approved by the Board on JANUARY 26, 2016

SUNSET REVIEW
BCC-31

POLICY NUMBER AND NAME (OR) BCC-70 Management of Real Property
ADMINISTRATIVE ORDER NUMBER AND NAME: _____

Department: Central Services
Please review with recommendations to the County Manager (and/or) Advisory Board.

Citizen Group: Recommendation to be submitted to the Board of County Commissioners

County Commission: To receive results of Department and Citizen Group reviews:

REVIEW TO INCLUDE (BUT NOT LIMITED TO):

1. What is the need being met and who benefits: (Quantify)
Provides a policy establishing a process for the management of real property owned by the County, limiting the donation of real property, and provides directive regarding disposing of surplus property.

2. Is this Policy/Administrative Order duplicative? Yes No
If yes, please explain.

3. Can another agency perform this function? Yes No
If yes, please explain.

4. County Funding Yes No

5. Should this Policy/Administrative Order be
 Eliminated
 Modified
 Continued

6. Is there an acceptable alternative? Yes No
If yes, please explain.

The date(s) the Citizen Group/Advisory Board will review. _____

The date the Board of County Commissioners will review results. 02/04/2016



Stockton Whitten, County Manager

JAN. 26, 2016

Date