



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

F.14.

8/30/2022

### Subject:

Approval, Re: Amendment 11 to Lease Number 3485 with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (District 3)

### Fiscal Impact:

None

### Dept/Office:

Parks & Recreation and Natural Resources

### Requested Action:

It is requested the Board authorize the Chair to execute Amendment 11 to Lease Number 3485 with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and following Amendment 11 to Lease Number 3485 authorize the Parks and Recreation Department Director to amend the associated Management Plan as needed.

### Summary Explanation and Background:

In 1984 the voters of Brevard County approved a referendum for the acquisition and development of beach and riverfront property in the County. In an effort to increase the amount of funding for the acquisition of oceanfront lands, the County applied for and received monies under the State's Save Our Coast Program for land purchases in the South Beaches. The State received title to the properties and then leased to the County the responsibility for development, operation, and maintenance. The original Lease Agreement was effective June 12, 1987 and will terminate in 2057.

Save Our Coast Properties currently includes more than 20 parcels both developed and undeveloped. Amendment 11 will add a 3.25-acre parcel adjacent to land currently managed by the Parks and Recreation Department. The parcel was recently acquired by the State. For the last fifteen years Brevard County has utilized this site, while under private ownership, for beach restoration projects and other emergency beach access needs. Adding this parcel to the County lease will allow continued use for the projects.

### Clerk to the Board Instructions:

Provide fully executed amendment to Mary Ellen Donner at [Maryellen.donner@brevardfl.gov](mailto:Maryellen.donner@brevardfl.gov)

**BREVARD COUNTY  
BOARD OF COUNTY COMMISSIONERS**

## **CONTRACT REVIEW AND APPROVAL FORM**

### **SECTION I - GENERAL INFORMATION**

<b>1. Contractor:</b> Bureau of Public Lands		<b>2. Amount:</b> 0
<b>3. Fund/Account #:</b>	<b>4. Department Name:</b> Parks & Recreation	
<b>5. Contract Description:</b> Amendment 11 to sublease 3485 w/Board of Trustees of Internal Improvement Trust Fund (Save Our Coast properties)		
<b>6. Contract Monitor:</b> Melissa Renninger		<b>8. Contract Type:</b>  INTERGOVT/STATE
<b>7. Dept/Office Director:</b> Mary Ellen Donner		
<b>9. Type of Procurement:</b> Other		

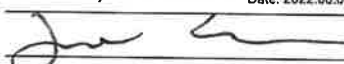
### **SECTION II - REVIEW AND APPROVAL TO ADVERTISE**

#### **APPROVAL**

<u>COUNTY OFFICE</u>	<u>YES</u>	<u>NO</u>	<u>SIGNATURE</u>
User Agency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Purchasing	<input type="checkbox"/>	<input type="checkbox"/>	
Risk Management	<input type="checkbox"/>	<input type="checkbox"/>	
County Attorney	<input type="checkbox"/>	<input type="checkbox"/>	

### **SECTION III - REVIEW AND APPROVAL TO EXECUTE**

#### **APPROVAL**

<u>COUNTY OFFICE</u>	<u>YES</u>	<u>NO</u>	<u>SIGNATURE</u>
User Agency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Renninger, Melissa <small>Digitally signed by Renninger, Melissa Date: 2022.05.31 08:27:37 -04'00'</small>
Purchasing	<input type="checkbox"/>	<input type="checkbox"/>	
Risk Management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wilson, Shannon <small>Digitally signed by Wilson, Shannon Date: 2022.05.03 14:12:40 -04'00'</small>
County Attorney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

### **SECTION IV - CONTRACTS MANAGEMENT DATABASE CHECKLIST**

<b>CM DATABASE REQUIRED FIELDS</b>	<b>Complete</b> ✓
Department Information	<input type="checkbox"/>
Department	<input type="checkbox"/>
Program	<input type="checkbox"/>
Contact Name	<input type="checkbox"/>
Cost Center, Fund, and G/L Account	<input type="checkbox"/>
Vendor Information (SAP Vendor #)	<input type="checkbox"/>
Contract Status, Title, Type, and Amount	<input type="checkbox"/>
Storage Location (SAP)	<input type="checkbox"/>
Contract Approval Date, Effective Date, and Expiration Date	<input type="checkbox"/>
Contract Absolute End Date (No Additional Renewals/Extensions)	<input type="checkbox"/>
Material Group	<input type="checkbox"/>
Contract Documents Uploaded in CM database (Contract Form with County Attorney/ Risk Management/ Purchasing Approval; Signed/Executed Contract)	<input type="checkbox"/>
"Right To Audit" Clause Included in Contract	<input type="checkbox"/>
Monitored items: Uploaded to database (Insurance, Bonds, etc.)	<input type="checkbox"/>



August 31, 2022

**M E M O R A N D U M**

**TO:** Mary Ellen Donner, Parks and Recreation Director

**RE:** Item F.14., Approval for Amendment 11 to Lease Number 3485 with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida

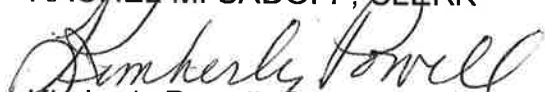
The Board of County Commissioners, in regular session on August 30, 2022, executed and approved Amendment 11 to Lease Number 3485 with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and authorized you to amend the associated Management Plan as needed. Enclosed is an executed Amendment.

**Upon execution by all parties, please return a fully-executed Amendment to this office for inclusion in the official minutes.**

Your continued cooperation is greatly appreciated.

Sincerely,

**BOARD OF COUNTY COMMISSIONERS  
RACHEL M. ŠADOFF, CLERK**

  
Kimberly Powell, Clerk to the Board

/ns

Encl. (1)

This instrument prepared by:  
Joel Pollock  
Department of Environmental Protection  
Bureau of Public Administration  
Division of State Lands  
3900 Commonwealth Blvd. MS 130  
Tallahassee, Florida 32399-3000  
AID# 45130

ATL1  
[3.25 +/- acres]

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT  
TRUST FUND OF THE STATE OF FLORIDA**

**AMENDMENT NUMBER 11 TO LEASE NUMBER 3485**

THIS LEASE AMENDMENT is entered into this 19<sup>th</sup> day of September, 2022, by and between the **BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA**, hereinafter referred to as "LESSOR" and **BREVARD COUNTY, FLORIDA**, a political subdivision of the State of Florida, hereinafter referred to as "LESSEE";

**WITNESSETH:**

**WHEREAS**, LESSOR, by virtue of Section 253.03, Florida Statutes, holds title to certain lands and property for the use and benefit of the State of Florida; and

**WHEREAS**, on December 5, 1989, LESSOR and LESSEE entered into Lease Number 3485 (the "lease"); and

**WHEREAS**, LESSOR and LESSEE desire to amend the lease to add land to the leased premises.

**NOW THEREFORE**, in consideration of the mutual covenants and agreements contained herein, the parties hereto agree as follows:

1. The legal description of the leased premises set forth in Exhibit "A" of Lease Number 3485 is hereby amended to include the real property described in Exhibit "A" attached hereto and by reference made a part hereof.
2. It is understood and agreed by LESSOR and LESSEE that in each and every respect the terms of Lease Number 3485, except as amended, shall remain unchanged and in full force and effect and the same are hereby ratified, approved and confirmed by LESSOR and LESSEE as of the date of this amendment
3. It is understood and agreed by LESSOR and LESSEE that this Amendment Number 11 to Lease Number 3485 is hereby binding upon the parties hereto and their successors and assigns.

4. This lease amendment may be executed by electronic signature, which shall be considered as an original signature for all purposes and shall have the same force and effect as an original signature. Without limitation, "electronic signature" shall include faxed versions of an original signature or electronically scanned and transmitted versions (e.g., via pdf) of an original signature.

*[Remainder of page intentionally left blank; Signature page follows]*

IN WITNESS WHEREOF, the parties have caused this Amendment to Lease to be executed on the day and year first above written.

**"LESSOR"**

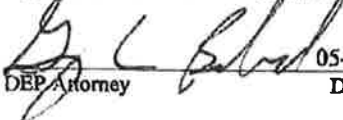
**BOARD OF TRUSTEES OF THE INTERNAL  
IMPROVEMENT TRUST FUND OF THE STATE  
OF FLORIDA**

BY: 

(SEAL)

Brad Richardson, Chief, Bureau of Public Land  
Administration, Division of State Lands, State of  
Florida Department of Environmental Protection, as  
agent for and on behalf of the Board of Trustees of the  
Internal Improvement Trust Fund of the State of  
Florida

Approved subject to proper execution

 05-01-2022  
DEP Attorney Date

**"LESSEE"**

**BREVARD COUNTY, FLORIDA, a political  
subdivision of the State of Florida  
By its Board of County Commissioners**

BY: 

(SEAL)

Kristine Zonka, Chair

## **EXHIBIT "A"**

### **Description of Property**

That part of the South 200 feet of the North 450 feet of Government Lots 5 and 6, Section 14, Township 29 South, Range 38 East, lying East of State Road A1A, Brevard County, Florida.

and

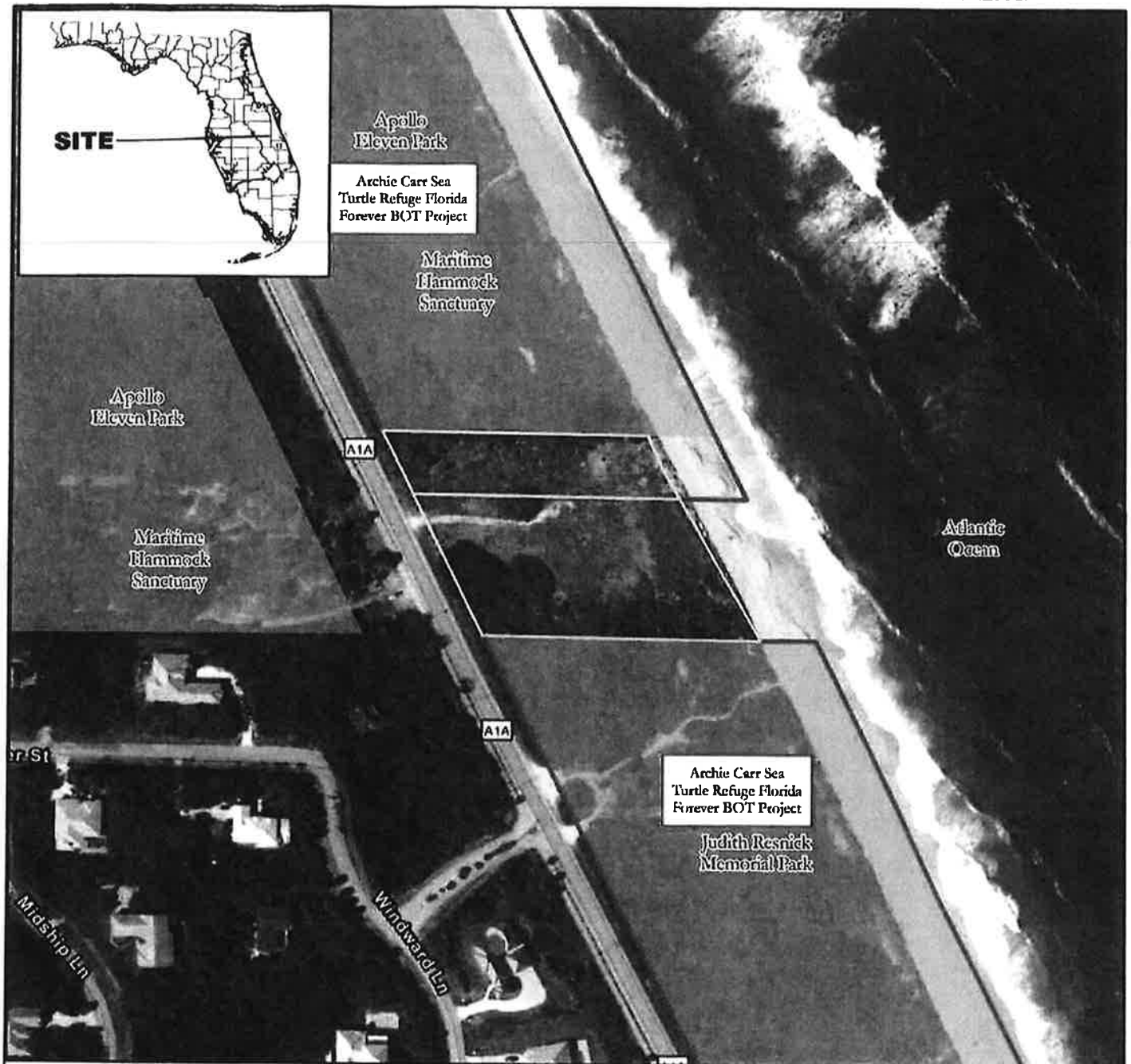
The South 90 feet of the North 250 feet of Government Lots 5 and 6, Section 14, Township 29 South, Range 38 East, lying and being East of State Road A1A, Brevard County, Florida.

As recorded in Official Records Book 9207, Page 1275, Public Records of Brevard County, Florida.

TCF  
Pieloch  
Archie Carr NWR

8514 *Hayden*

DATE: July 2, 2021



**Lease No. 3485 — Amendment 11**

Brevard County, Florida



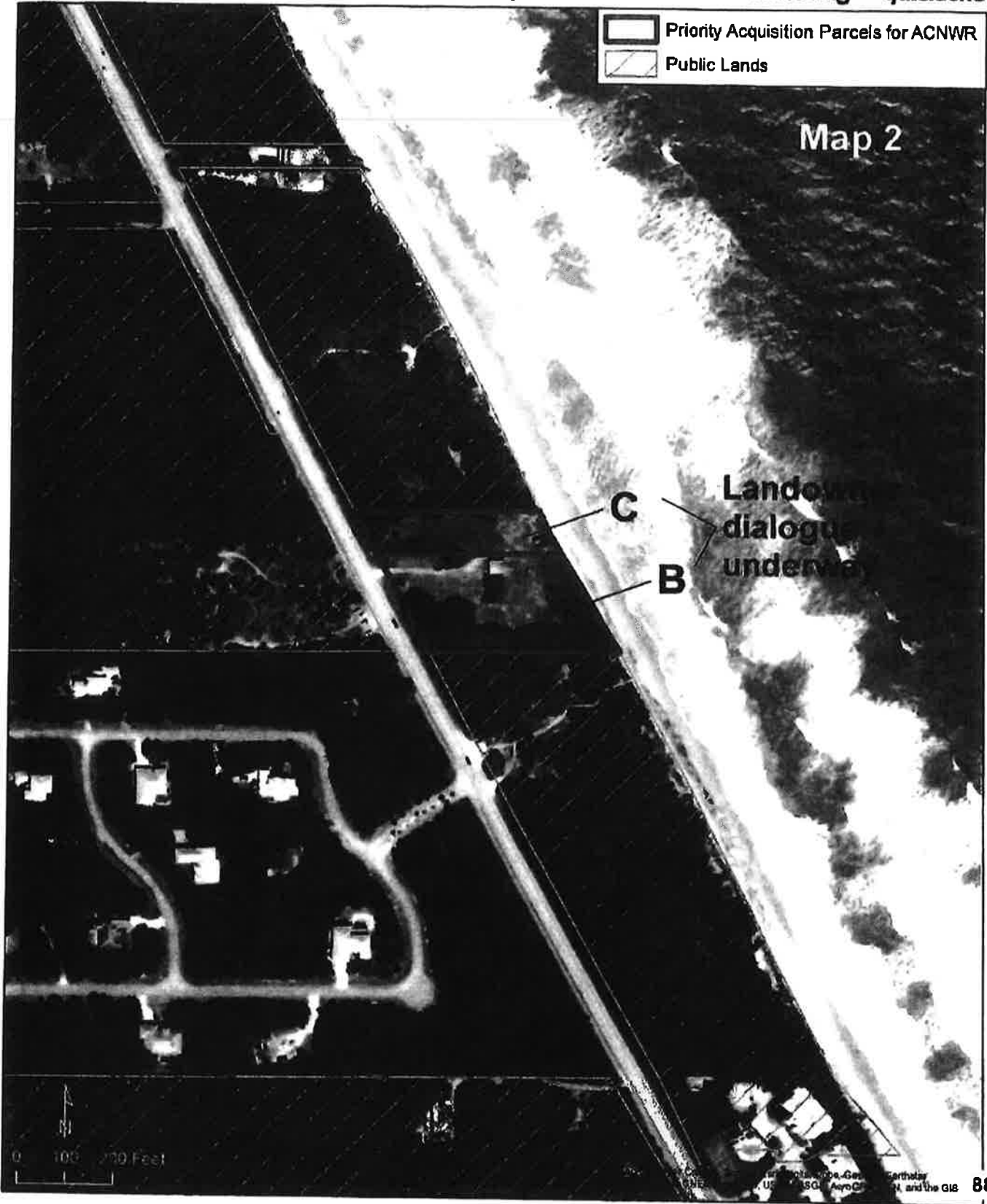


U.S. Fish & Wildlife Service  
Archie Carr National Wildlife Refuge

**ACNWR Inholding Acquisitions**

- Priority Acquisition Parcels for ACNWR
- Public Lands

Map 2





U.S. Fish & Wildlife Service  
**Archie Carr National Wildlife Refuge**

**ACNWR Inholding Acquisitions**

-  Priority Acquisition Parcels for ACNWR
-  ACNWR Acquisition Boundary
-  ACNWR Partnership Lands

