

**INDIAN RIVER COUNTY, FLORIDA
MEMORANDUM**

TO: Jason E. Brown, County Administrator
FROM: Richard B. Szpyrka, P.E., Public Works Director
SUBJECT: Fire Station #13 – Removal of Fire Tower
DATE: December 28, 2021

DESCRIPTION AND CONDITIONS

On September 4, 2007 the Board of County Commissioners (BCC) authorized the purchase of 3.99 acres of land on the northwest corner of 43rd Avenue and 4th Street from the Florida Division of Forestry. The land purchase included an existing fire tower and a secondary structure. The agenda item from 2007 stated that as a condition of the sale the Division of Forestry was seeking to maintain the use of the fire tower for wildfire detection and that maintaining the structure would be at their expense.

On May 4, 2010 the tower issue was brought to the BCC by Community Development. After discussion the BCC directed staff not to disassemble the fire tower for one year and for staff to be cooperative in granting access to the property for inspections. There was no further action by Community Development on this item, however the fire tower was never dismantled and removed from the property.

On October 19, 2010 after a presentation from the “Friends of the Tower” project, the Chair of the BCC suggested that County staff develop a memorandum of agreement and that the County Attorney review and formalize the memorandum of agreement and have the item brought back to the BCC. An agreement was never formalized and brought back to the Board for action.

The tower has now been in place for an additional 10 years and it has become a potential health/safety and liability issue for the County. Public Works has inspected the fire tower and adjacent structure and is of the opinion that both structures should be removed. Public Works has obtained an engineer’s estimate for a complete structural analysis of the tower to ascertain the cost of rehabilitating the structure for use by the public if the structure is to be retained and refurbished. The cost of the analysis from Kimley-Horn & Associates is \$46,890.00.

Recently, the City of Fellsmere reached out to the County Administrator to investigate the possibility of dismantling the tower and reassembling the fire tower in Fellsmere.

Based on the above information, Staff is seeking direction from the Board on how to proceed regarding this matter. As such, Staff offers the following options to the BCC:

- Option 1 – Direct staff to obtain quotes to remove the fire tower and secondary structure from the property.
- Option 2 – Direct staff to move forward with a structural analysis of the fire tower and provide funding for the structural analysis and authorize the County Administrator to sign a Work Order with Kimley-Horn in the amount not to exceed \$46,890.00 to perform the structural analysis.
- Option 3 – Direct staff to work with the City of Fellsmere to formulate an agreement to transfer ownership of the fire tower structure to the City of Fellsmere within 90 days. If the City of Fellsmere fails to enter into an agreement within 90 days, the Board authorizes Public Works to demolish the fire tower and secondary structure and remove them from the property.
- Option 4 – Leave the fire tower and secondary structure in the ‘as is’ condition on the property.

FUNDING

Depending on BCC direction, funding will need to be made available for the selected option. The cost of a structural analysis could be funded from Emergency Services District reserves. If the Board moves forward with rehabilitations, such costs could be funded by a combination of grants and Optional Sales Tax dollars.

RECOMMENDATION

Staff recommends Option 3 to the Board of County Commissioners to work with the City of Fellsmere to formulate an agreement to transfer ownership of the tower structure to the City of Fellsmere within 90 days. If the City of Fellsmere fails to enter into an agreement within 90 days, the Board authorizes Public Works to demolish the fire tower and secondary structure and remove them from the property. Staff also recommends that the Board approve funding not to exceed \$40,000 for the removal of the fire tower and secondary structure if no agreement is reached with the City of Fellsmere.

ATTACHMENT

Kimley-Horn Draft Work Order and Scope
Kimley-Horn Assessment Fee per the Consulting Contract

APPROVED AGENDA ITEM FOR January 11th, 2022