

Indian River County, Florida  
Department of Utility Services  
Board Memorandum

**Date:** September 13, 2021  
**To:** Jason E. Brown, County Administrator  
**From:** Terry Southard, Operations Manager  
**Through:** Matthew Jordan, Interim Director of Utility Services  
**Subject:** Fee Agreement with Gunster, Yoakley & Stewart, PA

**Background and Analysis:**

On December 3, 2019, the Board of County Commissioners (BCC) approved of a fee agreement with Hopping Green & Sams, PA for services to prepare and review the Consumptive Use Permit (CUP) application and materials for the Indian River County Department of Utility Services (IRCDUS).

**Descriptions and Conditions:**

Staff has been working with attorney Eric T. Olsen in regards to these matters. At this time, the work related to IRCDUS’ CUP is ongoing. However, staff has received notice from Hopping Green & Sams that as of September 1, 2021, Eric T. Olsen is transitioning to a different law firm and as of that date, Hopping Green & Sams will no longer have staff qualified to handle these matters. Therefore, staff is requesting permission to continue work with Eric T. Olsen and the firm of Gunster, Yoakley & Stewart, PA on matters related to the CUP. Attachment 1 contains the proposed fee agreement.

**Funding:**

Funds in the amount of \$30,000.00 for this project are derived over the current as well as the next fiscal year’s other professional services budget (Account Number 47121936-033190) in the Utilities operating fund. Utilities operating funds are derived from water and sewer sales.

Description	Account Number	Amount
Other Professional Services FY 20-21	47121936-033190	\$10,000.00
Other Professional Services FY 21-22	47121936-033190	\$20,000.00

**Recommendation:**

Staff recommends that the Board of County Commissioners approve the fee agreement with Gunster, Yoakley, & Stewart, PA for services to assist staff in the renewal of the Indian River County Department of Utility Services Consumptive Use Permit, and authorize the Chairman to execute the agreement on their behalf.

**Attachments:**

1. Fee Agreement