



Office of
**INDIAN RIVER COUNTY
ATTORNEY**

Dylan Reingold, County Attorney
William K. DeBaal, Deputy County Attorney
Susan J. Prado, Assistant County Attorney

MEMORANDUM

TO: Board of County Commissioners
FROM: Dylan Reingold, County Attorney
DATE: May 6, 2022
SUBJECT: Fire Station #13 – Removal of Fire Tower

BACKGROUND.

On January 11, 2022, the Indian River County Board of County Commissioners (the “Board”) voted to 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. Since then, County staff has been working with the City of Fellsmere concerning the transfer of the tower. Per section 125.38, Florida Statutes, Indian River County is authorized to transfer ownership of the fire tower to the City of Fellsmere through the adoption of a resolution duly adopted by the Board. The County Attorney’s Office has drafted a resolution consistent with the requirements of section 125.38, Florida Statutes. Per the resolution, upon delivery of the fire tower to a mutually agreeable location the resolution serves as a Bill of Sale transferring ownership of the Fire Tower to the City of Fellsmere. After discussions with counsel for the City, the City anticipates being able to take delivery of the Fire Tower in mid-June, and no later than July 15, 2022 at the latest, however the County will have additional time if needed due to permitting and procurement requirements.

FUNDING.

The cost to dismantle and transport the tower is estimated at \$40,000. Funding for this expense is not currently budgeted, and will be placed on a forthcoming budget amendment to be funded from Emergency Services District/Reserve for Contingency.

RECOMMENDATION.

The County Attorney’s Office recommends the Indian River County Board of County Commissioners vote to approve the draft resolution.

ATTACHMENT.

Draft resolution