

Indian River County, Florida
Department of Utility Services
Board Memorandum

Date: February 20, 2020
To: Jason E. Brown, County Administrator
From: Vincent Burke, PE, Director of Utility Services
Prepared By: Elliese Shaughnessy, EI, Utilities Design Engineer
Subject: First Amendment to the Agreement between Indian River County and Lost Tree Preserve, LLC

Background:

On August 15, 2017, the Board of County Commissioners (BCC) approved the Agreement between Indian River County, Florida and Lost Tree Preserve, LLC (Agreement) for Lost Tree Preserve Planned Development (PD). The County agreed to reimburse a portion of the off-site force main and water mains that serve Lost Tree Preserve PD as detailed in the original Exhibits A, B, and C that totaled \$150,317.23. The Agreement acknowledged future off-site utility improvements and the potential amendments to the Agreement. More specifically, it acknowledged the extension of the 8-inch water main along 65th Street from Old Dixie Highway to the western limits of Lost Tree Preserve PD.

The purpose of the First Amendment to the Agreement for Lost Tree Preserve PD is to provide the details and conditions of the reimbursement for the water main extension along 65th Street. The 8-inch water main will be upsized to a 12-inch and will be extended from the existing 12-inch water main on 46th Drive to tie into the existing 12-inch water main on Old Dixie Highway. The County agrees to pay no more than \$135,980.08 (33% of the total), as outlined in Exhibit D that is being amended to the original Agreement, after the water main is dedicated to the County. The total amount for the Agreement is now \$286,297.31.

The following summarizes the cost of the County of the initial Agreement and the 65th Street water main amendment.

	Water	Sewer	Total
Original Agreement	\$105,845.95	\$44,471.28	\$150,317.23
First Amendment	\$135,980.08	-----	\$135,980.08
Total	\$241,826.03	\$44,471.28	\$286,297.31

To date, a portion of the Agreement has been reimbursed, and the new remaining totals are shown below.

	Water	Sewer	Total
Paid	\$ 35,430.48	-----	\$ 35,430.48
Remaining	\$206,395.55	\$44,471.28	\$250,866.83

Consent Item

Funding:

Funding for this Agreement is derived from the Utilities Capital Fund. Utilities capital funds are generated from impact fees. Furthermore, new growth has created the need for the expansion or construction of the facilities, and that new growth will benefit from the expansion or construction of the facilities.

Name	Account Number	Amount
Lost Tree Preserve – Water Line Extension	472-169000-17535	\$241,826.03
Lost Tree Preserve – Sewer Line Extension	472-169000-17536	\$ 44,471.28

Recommendation:

Staff recommends approval of the First Amendment to the Agreement between Indian River County, FL and Lost Tree Preserve, LLC for Lost Tree Preserve Planned Development, reimbursing the developer as outlined in Exhibit D, and authorize the Chairman to execute the First Amendment on their behalf for \$135,980.08.

Attachments:

- 1. First Amendment to the Agreement for Lost Tree Preserve PD