

**Indian River County, Florida  
Department of Utility Services  
Board Memorandum**

**Date:** May 18, 2022

**To:** Jason E. Brown, County Administrator

**From:** Sean C. Lieske, Director of Utility Services

**Subject:** Reclaimed Water Agreement between Indian River County and New Indian River Club Inc.

**Background/Analysis:**

In June of 2021, county staff met with New Indian River Club, Inc. (NIRC) President, Marybeth Cunningham, to renew discussions about supplying reuse water to their site and renewing the original 1996 Reuse Agreement (Attachment 1). What transpired from those discussions is what is being presented to the Board of County Commissioners (BCC) for review and approval.

A proposed Reclaimed Water Agreement (RWA) between Indian River County (IRC) and NIRC Attachment 2 and Exhibit A of the agreement includes a legal description and aerial map of the areas to be irrigated. The following highlights of the agreement are listed below:

- There is a phased approach for increasing the fees and charges for reuse water that is delivered to the NIRC property denoted by dates and amounts below:
  - Phase 1: \$0.15 per 1,000 gallons for reclaimed water delivered to the Property up to 200,000 gallons per day until December 31, 2022
  - Phase 2: \$0.18 per 1,000 gallons for reclaimed water delivered to the Property up to 200,000 gallons per day From January 1, 2023, to December 31, 2023
  - Phase 3: Beginning January 1, 2024, NIRC shall pay the prevailing rate, which currently is \$0.22 per 1,000 gallons for reclaimed water delivered to the Property up to 200,000 gallons per day
- After Phase 3, NIRC will continue to be billed at the prevailing rate approved by the BCC, which is currently \$0.22/1,000 gal (November 9, 2021, BCC approved rates)
- Term: 20 years beginning on the effective date
- Cancellation: 180 days' notice
- NIRC is responsible for complying with the Florida Department of Environmental Protection (FDEP) regulations and associated reclaimed water treatment requirements
- This agreement supersedes the 1996 irrigation agreement

**Funding:**

This agreement will result in income to Indian River County Department of Utility Services (IRCDUS). Monthly income amounts will be varied depending on how much reclaimed water is used. These fees will be put into account number 471034-343530, Utilities/Service Charges/Reclaimed Water Sales.

**Consent Item**

<b>Account Name</b>	<b>Account Number</b>	<b>Amount</b>
Utilities/Service Charges/Reclaimed Water Sales	471034-343530	Varies

**Recommendation:**

Staff recommends that the Board of County Commissioners approve the Reclaimed Water Agreement between Indian River County and the New Indian River Club, Inc., and authorize the Chairman to sign on their behalf after review and approval by the County Attorney.

**Attachments:**

- 1. 1996 Indian River Club Agreement
- 2. Reclaimed Water Agreement between Indian River County and The New Indian River Club.
- 3. Exhibit A