



Office of
**INDIAN RIVER COUNTY
ATTORNEY**

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

MEMORANDUM

TO: Board of County Commissioners
FROM: Dylan Reingold, County Attorney
DATE: November 5, 2019
SUBJECT: Premier Citrus, LLC Purchase and Sale Agreement

BACKGROUND.

On March 26, 2019, the Indian River County Board of County Commissioners (the "Board") approved a purchase and sale agreement with Premier Citrus, LLC for the purchase of three properties totaling approximately 286 acres of land bordered by 82nd Avenue to the east, 4th Street to the north, 90th Avenue to the west and 1st Street SW to the south. The purchase price was \$4,800,400.00 for the three properties. The closing was scheduled for late July.

The County was unable to close on the property as scheduled. In order to avoid the uncertainty of litigation, the County Attorney and County Administrator negotiated a new purchase and sale agreement with Premier Citrus, LLC, for just the 243.50 acres located east of I-95. The purchase price is \$5,950,000. Although, this price is significantly above the previous purchase price, the amount is still less than the amount of the most recent appraisal value obtained by the County of \$7,300,000.

FUNDING.

There are three funding sources anticipated for the purchase of the subject properties.

1. Optional Sales Tax – 20% of optional sales tax monies are set aside for projects affiliated with the Indian River Lagoon initiative - \$1.8 million is budgeted in the County's CIE in Fiscal Year 20/21 for a TMDL/Utility/Effluent Storage project.
2. Park impact fees are available for a western corridor park - \$1 million is budgeted in the County's CIE in Fiscal Year 22/23.

3. Utility Impact Fees – Growth has caused the need for additional sites to dispose of or “park” reclaimed water. \$1.8 million is budgeted in the County’s CIE in Fiscal Year 20/21 for a TMDL/Utility/ Effluent Storage project.

Should the Board approve the proposed land purchase, the funds will be programmed into the 19/20 CIE to be brought to the Board in December.

<u>Description</u>	<u>Account Number</u>	<u>Percent</u>	<u>Amount</u>
Optional Sales tax	31524338-066110-19009	30%	\$1,785,000
Park Impact Fees	10321072-066110-19009	10%	\$ 595,000
Utility Impact Fees	472-169000-19009	60%	\$3,570,000
Total		100%	\$5,950,000

Note that there will be additional investment needed to further design and construct the site. Those costs are not known at this time and the funding required for any future potential project are not part of this agenda item and would be brought back to the BCC for approval at a future date.

RECOMMENDATION.

The County Attorney’s Office recommends that the Board of County Commissioners authorize the Chairman to sign the purchase and sale agreement for the Premier Citrus LLC properties for \$5,950,000.00, after review and approval by the County Attorney.

ATTACHMENT.

Proposed Purchase and Sale Agreement