



Office of
**INDIAN RIVER COUNTY
ATTORNEY**

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

MEMORANDUM

TO: Board of County Commissioners

FROM: Susan Prado, Assistant County Attorney

DATE: March 7, 2022

SUBJECT: Amendments to Section 312.11 (Performance Security) of the Indian River Code of Ordinances

Pursuant to Section 312.11 (Performance Security) of Chapter 312 (Rights-of-Way) of the Indian River Code of Ordinances (the "Code"), Indian River County requires security to be posted for any work done in the County right-of-way. As Section 312.11 of the Code is currently written, it only provides for the use of cash or a bond as acceptable forms of security. County staff believes that since the practice of using letters of credit is common in other areas where security is required that letters of credit should be added as an acceptable form of security for work in the right-of-way. This would create more consistency with other sections in the Code that require security be posted.

FUNDING.

The only funding for this item would be the advertising cost of a public hearing for a change to the Indian River County Ordinance Code.

RECOMMENDATION.

County staff recommends that the Board authorize staff to set a public hearing to consider an ordinance making amending Section 312.11 (Performance Security) of the Indian River County Code of Ordinances.

ATTACHMENT.

Draft Section 312.11 Amendment Language