



Office of
**INDIAN RIVER COUNTY
ATTORNEY**

Dylan Reingold, County Attorney
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MEMORANDUM

TO: Board of County Commissioners
FROM: Dylan Reingold, County Attorney *DR*
DATE: November 7, 2017
SUBJECT: Interlocal Agreement Between Indian River County and City of Vero Beach for Emergency Berms/Dunes on Beaches/Beach Restoration Due to Named Storms

BACKGROUND.

On September 19, 2017, the Indian River County Board of County Commissioners (“Board”) approved an Interlocal Agreement Between Indian River County and Town of Orchid for Emergency Dune Restoration Due to Named Storms to formalize the process of reimbursement for impacts to the beach/dune system. Indian River County staff has worked with the staff from the City of Vero Beach (the “City”) to draft a similar agreement with the City titled the Interlocal Agreement Between Indian River County and City of Vero Beach for Emergency Berms/Dunes on Beaches/Beach Restoration Due to Named Storms (the “Interlocal Agreement”).

Under the proposed Interlocal Agreement, the City will perform eligible emergency protective measures (FEMA Category “B” Projects) to protect improved property along City owned properties resulting from future named storms. The City will also be responsible for permanent public infrastructure repairs (i.e. dune crosswalks, boardwalks and stormwater outfalls) which may be FEMA Category ‘C’ or Category ‘G’ projects as determined by FEMA. Finally, the City will provide construction access to the beach dune system within the City limits.

Under the proposed Interlocal Agreement, Indian River County will be responsible to perform eligible work on engineered and maintained beaches (FEMA Category “G” Projects), within the Sector 5 Project Area. The timing and scope of any work and whether such work is to be performed will be determined by the County in its sole discretion.

On November 7, the City Council approved the proposed Interlocal Agreement.

FUNDING.

The cost for recording the Interlocal Agreement will be split evenly between the City and Indian River County. The total cost to record the Interlocal Agreement will be \$35.50. Indian River County will pay for the initial cost of recording and will be reimbursed by the City. Funding is available from Account No. 00110214-034830 (General Fund/County Attorney/Recording Fees).

RECOMMENDATION.

The County Attorney's Office recommends that the Board vote to approve the proposed Interlocal Agreement Between Indian River County and City of Vero Beach for Emergency Berms/Dunes on Beaches/Beach Restoration Due to Named Storms.

ATTACHMENT(S).

Interlocal Agreement Between Indian River County and City of Vero Beach for Emergency Berms/Dunes on Beaches/Beach Restoration Due to Named Storms.