Office of

INDIAN RIVER COUNTY ATTORNEY

Dylan Reingold, County Attorney
William K. DeBraal, Deputy County Attorney
Kate Pingolt Cotner, Assistant County Attorney

MEMORANDUM

TO: Board of County Commissioners

FROM: Dylan Reingold, County Attorney

DATE: April 13, 2017

SUBJECT: Forest Lake Property Owners' Association MOU for Right-of-Way Landscaping and Resolution Delegating Authority for Public Works Director to Enter Into a Memorandum of Understanding with Property Owners' Associations for Right-of-Way Landscaping

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BACKGROUND.

The Forest Lake Property Owners' Association ("Forest Lake POA") approached the County about installing and maintaining enhanced landscaping within the right-of-way along the 1st Street, S.W., street frontage. The County Attorney's Office drafted and the Forest Lake POA executed a Memorandum of Understanding (the "Forest Lake POA MOU") in which the County will allow for the Forest Lake POA to perform such landscaping work within the right-of-way and waive the annual right-of-way fees, and the Forest Lake POA agreeing to pay for the initial right-of-way permit fee, comply with the approved right-of-way permit, indemnify the County and maintain the appropriate insurance.

In order to streamline the process of approval for other property owners' associations and homeowners' associations, the County Attorney's Office has drafted the attached resolution authorizing the Public Works Department to enter into a similar Memorandum of Understanding with other organizations for installation and maintenance of landscaping without prior approval from the Indian River County Board of County Commissioners (the "Board").

FUNDING.

There is no funding associated with this agenda item.

RECOMMENDATION.

The County Attorney's Office recommends that the Chair allow for public comment on this matter and then have the Board vote to approve the Forest Lake POA MOU and the resolution and form memorandum of understanding for right-of-way landscaping as drafted.

ATTACHMENT(S).
Forest Lake POA MOU
Proposed resolution.