

LOCAL FUNDING AGREEMENT

THIS IS AN AGREEMENT, entered into this day of May 20, 2025, by and between:

INDIAN RIVER COUNTY BOARD OF COUNTY COMMISSIONERS, a subdivision of the State of Florida and a declared Constitutional County, with its mailing address at 1801 27th Street, Vero Beach, FL. 32960-3388, hereinafter "COUNTY"

and

COASTAL CONSERVATION ASSOCIATION, INC., a Florida not for profit corporation, with its principal address at 4061 Forrestal Avenue, St. 8, Orlando, FL 32806, hereinafter, "CCA".

R E C I T A L S:

WHEREAS, CCA desires to contribute to County's artificial reef program the sum of One Hundred Ten Thousand Dollars (\$110,000.00), such payment to be made to COUNTY by July 11, 2025, to offset the \$219,000 stated cost to fund an artificial reef deployment outlined in the State of Florida Department of Transportation Locally Funded Agreement FM Number 445618-1-52-01 which is incorporated hereto as Exhibit A, and consisting of the following:

- Approximately 3,500 tons of concrete and steel from the demolition of the Sebastian Inlet bridge and,
- To be deployed in up to 5 locations on the nearby permitted Orchid Island Artificial Reef Complex (see Exhibit A),

Therefore the County and CCA agree:

The County and CCA that in exchange for CCA's contribution and the mutual promises made herein, the County agrees to grant to CCA naming rights to 50% of the deployment sites within the Orchid Island Artificial Reef Complex (anticipated deployment of up to 5 locations, in which case CCA would have naming rights of 3 of the 5). The Sebastian Inlet Bridge artificial reef project's deployment of the artificial reef material shall be referred to as the "Project".

The Florida Department of Transportation ("FDOT") or others, shall have complete authority to design, construct, deploy and manage the Project as well as its means and methods. FDOT in its sole discretion may contract to others the Project's construction, deployment or completion .

The County and CCA agree that CCA will have no further or additional responsibility or obligation to the County or the Project.

In the event the project is not completed by the Florida Department of Transportation ("FDOT"), and/or is otherwise dissolved, abandoned or removed from the FDOT's 5-Year Work Program prior to the opening of construction irrespective of initial costs expended on the project prior to completion, abandonment, or removal

from FDOT's 5-Year Work Program, CCA shall be entitled to a full return to CCA of all contributions made under this agreement.

The County and CCA agree that they will cooperate in the Project's publicity, including the viewing and observation for publicity purposes of the deployment and any ceremonies related to the completion and availability for public uses.

The County and CCA agree that any disputes or disagreements between the parties shall be initially submitted to nonbinding arbitration located in Indian River County and that any litigation shall be subject to the laws of the State of Florida with venue being a court of competent jurisdiction in Indian River County.

DRAFT

IN WITNESS OF THE FOREGOING, the parties have set their hands and seals the day and year first written above.

IN WITNESS WHEREOF the parties hereto have executed this agreement as of the date first written above.

**BOARD OF COUNTY COMMISSIONERS OF
INDIAN RIVER COUNTY ("County")**

By: _____
Joseph Flescher, Chair

Approved by BCC: _____, 2025.

Attested:

By: _____
Ryan Butler, Clerk of Courts

Approved as to form and legal sufficiency:

By: _____
Jennifer W. Shuler, County Attorney

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WITNESSES: **COASTAL CONSERVATION ASSOCIATION, INC.**, a Florida not for profit corporation.

By:

Signature:

Print Name: Brian K. Gorski, Executive Director

Signature:

Print Name:

(CORPORATE SEAL)

STATE OF FLORIDA:

COUNTY OF:

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this day of, 2025, by **Brian K. Gorski**, as Executive Director of **COASTAL CONSERVATION ASSOCIATION, INC.**, a Florida not for profit corporation.

(Signature of Notary Public- State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known OR Produced Identification Type of
Identification Produced

Exhibit A

(Orchid Island Artificial Reef Complex Map)