



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: September 13, 2017
SUBJECT: Interlocal Agreement Between Indian River County and Town of Orchid for Emergency Dune Restoration Due to Named Storms

BACKGROUND.

On January 17, 2017, the Indian River County Board of County Commissioners (“Board”) approved a license agreement with the Town of Orchid (the “Town”) authorizing the Town to use the beach access point at Golden Sands Beach Park (“Park”) for the limited purpose of performing dune stabilization projects for the nearby residential development. The use of the Park was limited to the period between January 30, 2017 and February 17, 2017.

The Town and Indian River County would like to enter into the proposed Interlocal Agreement Between Indian River County and Town of Orchid for Emergency Dune Restoration Due to Named Storms based upon the initial license agreement, which would formalize the process of reimbursement for impacts to the beach/dune system. Per the recommendation of the Federal Emergency Management Agency, under the proposed interlocal agreement, Indian River County will apply for reimbursement for impacts to Indian River County beaches and Town beaches. Indian River County will then reimburse the Town for any funds received from any federal agencies and the State of Florida relating to the Town restoration work. Additionally, any Town use of the Park will be under similar conditions as those set forth in the license agreement, with dates of any future work being mutually determined by the Town Manager and County Administrator. Finally, Indian River County and the Town will agree to comply with the Indian River County Beach Preservation Plan, dated February 2015, or as subsequently amended.

On September 6, the Town Council approved the Interlocal Agreement Between Indian River County and Town of Orchid for Emergency Dune Restoration Due to Named Storms.

FUNDING.

The cost for recording the Interlocal Agreement Between Indian River County and Town of Orchid for Emergency Dune Restoration Due to Named Storms will be split evenly between the Town and Indian River County. Funding for Indian River County’s portion of the expenditure 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 Town of Orchid for Emergency Dune Restoration Due to Named Storms.

ATTACHMENT(S).

Interlocal Agreement Between Indian River County and Town of Orchid for Emergency Dune Restoration Due to Named Storms.