



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

DATE: March 18, 2019

SUBJECT: First Amendment to Water, Wastewater and Reclaimed Water Franchise Agreement Between The City of Fellsmere and Indian River County

BACKGROUND

On December 4, 2018, the Indian River County Board of County Commissioners (the "Board") approved a water, wastewater and reclaimed water franchise agreement with the City of Fellsmere (the "Agreement"). Pursuant to section 9 of the Agreement, the service area described in the Agreement can be expanded to include lands by amendments approved by the City Council of the City of Fellsmere and the Board. The owner of 12.655 acres of property located southeast of I-95 and CR 512 is seeking to annex into the City of Fellsmere. The first reading of the annexation ordinance is scheduled for March 21st. The property owner wishes to be served by the Indian River County Department of Utility Services. Thus, the County Attorney's Office has drafted this first amendment to the Agreement (the "Amendment"), which will expand the service area under the Agreement to serve this property.

FUNDING

There is no direct funding requirement for the Amendment. As required in the Agreement, Indian River County Department of Utility Services will collect and transmit to the City Fellsmere their utility tax and franchise fee split. The County split franchise fee will be collected and transferred to the general fund account.

RECOMMENDATION

The County Attorney's Office recommends that the Indian River County Board of County Commissioners authorize the Chairman to execute the Amendment.

ATTACHMENTS

First Amendment to Water, Wastewater and Reclaimed Water Franchise Agreement