

**Indian River County, Florida
Department of Utility Services
Board Memorandum**

Date: September 26, 2020

To: Jason E. Brown, County Administrator

From: Vincent Burke, PE, Director of Utility Services

Subject: Reclaimed Water Agreement between Indian River County and Sea Oaks Property Owners Association

Background/Analysis:

Around September 1989, Indian River County (County) and the Sea Oaks Property Owners Association (SOPO aka SOPOA) entered into an irrigation agreement. At the time the Florida Department of Environmental Regulation (FDER- now known as Florida Department of Environmental Protection (FDEP) had regulatory authority over the reuse and the quality of the highly treated effluent that could be used for beneficial use as irrigation. Attachment 1 is a copy of the irrigation agreement that had the following terms:

- The County owned and operated the Sea Oaks Wastewater Treatment Plant, an FDER 210,000 gallon per day (0.21 Million Gallons a Day=MGD)
- SOPO was to accept up to 500,000 gallons a day (0.5 MGD) of irrigation water
- SOPO had responsibilities for the operation and maintenance of the irrigation equipment such as pumps, timers, irrigation heads, and controls.
- The term was for 10 years. Renewals
- Rates were billed at county rate in effect at that time

Throughout the years the SOPO/SOPOA has lessened its reliance on the reuse water aka reclaimed water and had been relying on its own groundwater supply to irrigate the property. In later 2019, county staff met with Sea Oaks staff to renew discussions about supplying reuse water to their site. What transpired from those discussions is what is being presented to the Board for review and approval.

Attachment 2 is a proposed Reclaimed Water Agreement between Indian River County and Sea Oaks Property Owners Association. Exhibit A of the agreement includes a legal description and aerial map of the areas to be irrigated. The following highlights of the agreement are listed below:

- There is a phased approach for supplying water denoted by dates and amounts:
 - Phase 1: 0.0178 MGD within 3 months of the effective date
 - Phase 2: 0.129 MGD to the East side of A1A within 1 year
 - Phase 3: 0.284 MGD to the West side of A1A within 2 years
 - Note that these are guidelines and nothing prohibits SOPO/A from using the reuse water on or before these dates
- Rates billed at those in effect at the time. Currently \$0.21/1,000 gal (March 2019 BCC approved rates)
- There is an incentive to allow SOPO/A to use more than 0.5MGD at no charge

Departmental Item

- Term: 10 years beginning on the effective date
- Cancellation: 180 days' notice
- County responsible for complying with its FDEP Permit and associated reclaimed water treatment requirements
- This agreement supersedes the 1989 irrigation agreement
- Exhibit A shows the legal description and aerial map of the Sea Oaks property to be irrigated

Phase	Desc.	MGY	TGD	MGD	Cost/day	cost/yr
1	Tennis Ct	6,500,000.00	17,808.22	0.0178	\$3.74	\$1,365.00
2	East	46,937,133.00	128,594.88	0.129	\$27.00	\$9,856.80
3	West	103,519,977.00	283,616.38	0.284	\$59.56	\$21,739.20
			430,019.48	0.4308	\$90.30	\$32,960.99

Funding:

Funds for this project are derived from the Utilities Operating fund. Utilities operating funds are generated from water and sewer sales. Revenues are recognized in the operating fund as well.

Description	Account Number	Amount
Reclaimed Water Sales	471034-343530	\$32,960.99
Reclaimed Water Expenses	47121836- 035230/044330/044699	\$28,252.28

Recommendation:

Staff recommends that the Board of County Commissioners approve the Reclaimed Water Agreement between Indian River County and Sea Oaks Property Owners Association and authorize the Chairman to sign on their behalf after review and approval by the County Attorney.

Attachments:

1. 1989 Sea Oaks Irrigation Agreement
2. Reclaimed Water Agreement between Indian River County and Sea Oaks Property Owners Association