



Office of *Emergency Services District* 01/24/2017
**INDIAN RIVER COUNTY
ATTORNEY**

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

MEMORANDUM

TO: Indian River County Emergency Services District

THROUGH: John King, Emergency Services Director

FROM: William K. DeBraal, Deputy County Attorney *WKB*

DATE: January 17, 2017

SUBJECT: Lease of Fire Tower and Accessory Building at 43rd Avenue and 4th Street to Indian River County Historical Society, Inc.

The Indian River County Emergency Services District (the District) purchased the four acre property located at the northwest corner of 43rd Avenue and 4th Street from the Florida Department of Agriculture in 2008. This was the site of the former Florida Forest Service (f/k/a Division of Forestry) work center. The property contained two single family houses, the fire lookout tower, a small office/accessory building near the base of the tower and a large garage/work shop. The site was purchased for the location of Fire Station 13 which has been constructed on the property. The two single family houses were demolished to make way for the new fire station but the tower, accessory building and the garage remain.

Shortly after the purchase of the property, the Indian River County Historical Society, Inc. approached staff about leasing the tower site, the accessory building and the parking area around these structures. The District and the Historical Society entered into a Temporary License Agreement in May 2011 to stabilize and preserve the area during construction of the fire station. With the help of Ruth Stanbridge, County Historian, the Historical Society recently applied for a grant to restore the office/accessory building beneath the tower and install web cams in the tower cab. The signal from the web cams will be broadcast to monitors in the office/accessory building in order to provide a view from the top of the tower. The Historical Society hopes to recreate the historic method of wild fire detection in Florida through the use of the cameras and monitors. In accordance with the terms of the grant, the District and the Historical Society must enter into a lease agreement for use of the tower, office/accessory building and the parking area.

Staff has drafted the attached lease for the property. The conditions of the lease are as follows:

- The lease term is 10 years with one 10 year renewal at a rate of \$1.00 per year.
- Maintenance of the premises is the responsibility of the Tenant.
- The Tenant is responsible for the cost for an engineer to evaluate the tower and report on its soundness.
- Any improvements to the leased premises are the sole financial responsibility of the Tenant and any improvements must first be approved by the District.
- All contractors must be licensed and insured naming the District as an additional insured.
- The lease will be modified automatically if the County needs right-of-way or property for stormwater ponds if 43rd Avenue/4th Street are expanded.

The Historical Society plans on opening the exhibit to school classes, civic groups and other interested parties. The local HAM radio club has also expressed interest in putting antennae on the tower but that would be the subject of a separate agreement.

The office building was built back in the 1950s so a new septic system will be installed. Due to the limited use of the building, the system will consist of a large sealed tank that will need to be pumped out periodically. The small size of the area and the changes in elevations with construction of the new fire station make installation of a drain field cost prohibitive. The building will also have to be connected to electricity and County water as the well that served the building has been capped and sealed during the construction of the new fire station. These improvement will be paid for with the use of Historical Society grant funds and donations.

Funding. There is no expenditure of District funds for this lease.

Recommendation. Staff recommends the Board approve the lease with the Historical Society for the Fire Tower Parcel and the accompanying resolution and authorize the Chairman to sign the documents on behalf of the District.

Copies to:

John King
Historical Society
Ruth Stanbridge
