



Office of  
**INDIAN RIVER COUNTY  
ATTORNEY**

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

**MEMORANDUM**

**TO:** Board of County Commissioners

**FROM:** Dylan Reingold, County Attorney

**DATE:** March 28, 2023

**SUBJECT:** Interlocal Agreement Between Indian River County and Town of Orchid for Beach Access for Dune Restoration

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**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.

On September 19, 2017, the Board approved an Interlocal Agreement Between Indian River County and Town of Orchid for Emergency Dune Restoration Due to Named Storms (“ILA”). The ILA included a process of reimbursement for impacts, in which Indian River County would apply for reimbursement for impacts to Indian River County beaches and Town beaches. Indian River County would 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 would 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.

The Town of Orchid staff and Indian River County staff have negotiated a new Interlocal Agreement Between Indian River County and Town of Orchid for Beach Access for Beach and Dune Restoration, which removes the reimbursement provisions going forward and expands the ability of the Town to use the Parks for beach and dune restoration future storm events, hurricanes, tropical storms, heavy seas, nor-easters, king tides and general erosion.

**FUNDING.**

The cost for recording the Interlocal Agreement 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 the Board approve and authorize the chair to sign the Interlocal Agreement Between Indian River County and Town of Orchid for Beach Access for Beach and Dune Restoration.

**ATTACHMENT.**

Interlocal Agreement Between Indian River County and Town of Orchid for Beach Access for Beach and Dune Restoration