

**INDIAN RIVER COUNTY, FLORIDA
BOARD MEMORANDUM**

CONSENT

TO: Board of County Commissioners

THROUGH: John A. Titkanich, Jr., County Administrator
Kylie Yanchula, Natural Resources Director

FROM: Eric Charest, Assistant Natural Resources Director

SUBJECT: Amendment No. 5 – FDEP Grant Agreement No. 17IR2 [Wabasso (Indian River Sector 3) Beach Restoration]

DATE: December 30, 2024

DESCRIPTION AND CONDITIONS

The Florida Department of Environmental Protection (FDEP) received FY 2016/2017 funding to assist eligible governmental entities for beach erosion control activities under the Florida Beach Management Funding Assistance Program. On February 26, 2018, FDEP entered into Local Government Funding Request (LGFR) Grant Agreement No. 17IR2 with Indian River County; committing up to \$250,000, at a cost share ratio of 50% State - 50% Local, for permit-required construction related monitoring of the Sector 3 Beach and Dune Restoration Project. On June 22, 2018, Grant Agreement 17IR2 was amended by the FDEP to increase amount of funding by \$643,102.60 (at a cost share ratio of 50% State - 50% Local) because of unused funds from a prior LGFR grant issued to the County for Sector 3 Beach and Dune repairs (LGFR 14IR2). Amendment No. 1 increased the total eligible grant project costs under LGFR 17IR2 to \$893,102.60 at a cost share ratio of 50% State – 50% Local.

On May 4, 2021, FDEP issued Amendment No. 2 to Grant 17IR2 in response to a request from the County to FDEP for an extension to the Task End Dates identified in the original agreement and Amendment No. 1. Amendment No. 2, executed by the County on May 18, 2021, maintained the same funding levels, but extended the Task End Dates through to September 30, 2022, reflecting a twenty (20) month extension. In granting this initial extension amendment, the FDEP considered the size and complexity of the Sector 3 project, as well as the need to split up construction over two (2) construction seasons, to grant the extension.

Although construction of the Sector 3 Beach and Dune Restoration project was completed in March of 2022, the non-Federal costs associated with the project had not yet been determined by the funding agencies within the timeframe offered by Amendment No. 2. Discussions with Federal Emergency Management Agency (FEMA), the Florida Division of Emergency Management (FDEM), and FDEP representatives continued to take place, with the County requesting another extension to LGFR 17IR2 be issued by the FDEP. On December 20, 2022, the County executed Amendment No. 3 to LGFR 17IR2, extending the terms of the agreement for an additional 12 months, running through December 31, 2023.

As discussions remained on-going regarding funding reimbursement strategies for the County and the applicable agencies, the County once again made a request to the FDEP to extend the terms of LGFR 17IR2 to allow for agency determinations to be made. Amendment No. 4,

executed on March 19, 2024, maintained the same funding total in Grant 17IR2 prior amendments, and extended the grant terms through to December 31, 2024, reflecting an additional twelve (12) month extension to the deadlines for the grant. The approved extension was anticipated to allow time for all agencies making funds available for the County's Sector 3 Beach and Dune Project to agree on their respective allocations, thus allowing for the County to cost-share the non-federal costs under this grant.

As the reimbursement approach with multiple funding agencies is very complex and involves many entities, discussions between the agencies and County continued during the duration of the extension offered under Amendment No. 4. County Staff requested another extension to grant 17IR2 be issued by the FDEP so that reimbursement could be sought by the County under the grant when a final determination on funding allocations has been made. The FDEP provided Amendment No. 5 to the County on December 13, 2024 for consideration and review. Amendment No. 5 maintains the same level of funding as previously approved and extends the terms of the grant to now remain in effect for an additional twelve (12) months, running through to December 31, 2025. It is anticipated that reimbursement will be complete within the timeframe now offered by this new amendment.

FUNDING

No additional costs will be incurred to accept this grant extension.

RECOMMENDATION

Staff recommends the Board approve FDEP Amendment No. 5 to FDEP LGFR Grant Agreement No. 17IR2 and authorize the County Administrator to sign the Amendment on behalf of the County. Staff also recommends that the Board further authorize the County Administrator to sign any future Amendments to LGFR 17IR2 that do not alter its' financial terms on behalf of the County and upon concurrence by the County Attorney.

ATTACHMENTS

1. FDEP Grant Agreement 17IR2
2. FDEP Grant Agreement 17IR2_A1
3. FDEP Grant Agreement 17IR2_A2
4. FDEP Grant Agreement 17IR2_A3
5. FDEP Grant Agreement 17IR2_A4
6. FDEP Grant Agreement 17IR2_A5

APPROVED AGENDA ITEM FOR: JANUARY 14, 2025