



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: January 18, 2023
SUBJECT: First Amendment to Aircraft Rescue and Firefighting (ARFF) Agreement

BACKGROUND.

On April 5, 2022, the Indian River County Board of County Commissioners (“Board”) approved the On-Airport Lease and Aircraft Rescue and Firefighting (ARFF) Agreement (collectively, the “Agreements”) with the City of Vero Beach. On June 6, 2022, the Board approved revised Agreements which made the Agreements retroactive to October 1, 2021.

Recently, the City approached the Emergency Services District (“District”) about Breeze Airways beginning service at the Vero Beach Airport in February 2023. In order for Breeze Airways to be able to utilize the Vero Beach Airport, the District needs to provide additional services. Thus, the City and District staff quickly worked together to negotiate a First Amendment to the ARFF Agreement, in which the District will provide a Class A Fire Pumper carrying a minimum of 750 gallons of water or a 3,000 gallon Water Tanker. The District will also provide a State of Florida Certified Firefighter who is trained and qualified in the efficient and safe operations of that vehicle and who meets the specific certification requirements. The City will pay the District an additional sum of \$200 per scheduled single flight and \$400 per scheduled double flight. The First Amendment also contains re-opener provisions for increased costs due to collective bargaining negotiations and changes in the duration of the flights. Finally, the City will provide the District with a schedule of flights so that the District can provide proper staffing under the First Amendment.

FUNDING.

Based upon the current Breeze Airways flight schedule the expected additional revenue under the First Amendment to ARFF Agreement is \$3600 in February, \$4400 for March, \$4800 for April and \$2000 for the first half of May. Funding received per the agreement will be deposited into the Emergency Services District/Service Charges/Fire Protection Services account number 114034-342220 to offset the additional expenses incurred by the District.

RECOMMENDATION.

The County Attorney’s Office recommends that the Indian River County Board of County Commissioners approve the First Amendment to Aircraft Rescue and Firefighting (ARFF) Agreement and authorize the chair to execute the First Amendment after review and approval by the County Attorney.

ATTACHMENTS.

First Amendment to Aircraft Rescue and Firefighting (ARFF) Agreement