

**INDIAN RIVER COUNTY, FLORIDA
MEMORANDUM**

TO: Board of County Commissioners

THROUGH: John A. Titkanich, Jr., County Administrator

THROUGH: Eric Charest, Interim Natural Resources Director

FROM: Melissa Meisenburg, Sr. Lagoon Environmental Specialist

SUBJECT: Anchoring Limitation Area Update

DATE: May 10, 2024

DESCRIPTIONS AND CONDITIONS

On May 7, 2024, staff brought to the Board of County Commissioners (Board) two Interlocal Agreement (ILA) options for the municipalities requesting Anchoring Limitation Areas (ALA) within their respective jurisdictions. After Board discussions on both options, staff was directed to develop a modified option combining aspects of ILA options I and II. Staff has prepared ILA Option III and is presenting it to the Board for consideration.

ILA Option III

- The County will provide staff to coordinate with a consultant and the municipalities for the implementation of Anchoring Limitation Areas (ALA) within the respective jurisdictions.
- The County will secure the services of a consultant to coordinate with the County and the municipalities on the design, permitting and installation of signs and buoys within the ALA.
- The County will work with the consultant to acquire the permit through FWC for the number of required signs and buoys and placement.
- The consultant will work with each municipality to acquire the necessary permits through the USACE, FDEP and USCG for sign and buoy deployment. The municipalities will be the permit holder for the necessary markers identifying the ALAs in their respective jurisdictions.
- The consultant will develop a bid package for the deployment of uniform waterway markers per the guidelines established in the FWC, USACE, USCG and FDEP permits.
- The County will advertise and award a piling and buoy/marker installation services contract in accordance with County purchasing guidelines encompassing the participating municipalities required marking needs for the identified ALA areas.
- The consultant will work directly with the municipalities on piling and buoy installation by providing construction oversight of the contractor receiving the award of bid from the County.
- After initial installation, the municipalities will be responsible for on-going monitoring and maintenance of the pilings, signs, and buoys within their respective jurisdictions.

- Each municipality will serve as the primary enforcement agency within their jurisdictional limits.
- The municipalities will reimburse the County 100% of their respective costs associated with the expenses incurred by the County for consultant services related to permitting, bidding and installation of the pilings, signs, buoys, and anchors, as well as mobilization, materials, and installation costs for the required signage and markers identifying the ALA within their respective jurisdictional boundaries.
- In the event a municipality fails to reimburse the County in a timely manner for their respective costs in the County establishing the ALA, the County reserves the right to amend the ALA ordinance, permit and map to exclude the area from that municipality.
- In the event a municipality fails to monitor, maintain, or enforce the ALA, the County reserves the right to amend the ALA ordinance, permit and map to exclude the area.

FUNDING

Funding for ILA Option III will require approximately \$42,500.00 to \$75,000.00 for the design, permitting paperwork, bid and mobilization in addition to the estimated amount of \$213,000.00 to \$254,000.00 for construction. Funds will be made available via a budget amendment in the Florida Boating Fund/Lagoon/Other Contractual Services account, number 13328337-033490. It is anticipated per ILA Option III, that a significant portion of the funding identified would be reimbursed to the County by the participating jurisdictions.

| Account Description | Account Number | Amount |
|--|-----------------|---------------------------|
| Florida Boating Fund/Lagoon/Other Contractual Services | 13328337-033490 | \$255,500.00-\$329,000.00 |

RECOMMENDATION

Staff is seeking approval from the Board of County Commissioners to move forward with establishing ALAs for the partnering municipalities utilizing ILA Option III.

ATTACHMENTS

1. May 7, 2024, BCC Agenda Item 12.E.1 Anchoring Limitation Area Update

APPROVED AGENDA ITEM FOR

May 21, 2024