



Cover Memorandum/Staff Report

File #: 25-856

Agenda Date: 7/15/2025

Item #: 6.G.

TO: Mayor and Commissioners
FROM: Missie Barletto, Public Works Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: July 15, 2025

APPROVAL OF RESOLUTION NO. 163-25 AUTHORIZING THE CITY MANAGER TO EXECUTE A TEMPORARY CONSTRUCTION EASEMENT BETWEEN THE CITY OF DELRAY BEACH AND HHC ATLANTIC, LLC FOR THE PALM BEACH COUNTY SHORE PROTECTION PROJECT, DELRAY BEACH SEGMENT

Recommended Action:

Approval of Resolution No. 163-25 Authorizing the City Manager to Execute a Temporary Construction Easement Between the City of Delray Beach and HHC Atlantic, LLC the Palm Beach County Shore Protection Project, Delray Beach Segment (FCCE Storm Repair Project, Public Works Project No. 17-081).

Background:

In 2021, the City and HHC Atlantic, LLC (Seagate Beach Club) entered into a Temporary Construction Agreement for the purpose of allowing an access point for ingress and egress to the adjacent Municipal Beach for City staff to perform work related to a beach renourishment project. The proposed project, scheduled to begin November/December 2025, will add approximately 1,150,000 cubic feet of sand to the Municipal Beach and provide additional infrastructure protection. The United States Army Corps of Engineers (USACE) is the primary project manager however the current easement agreement does not specifically name the USACE as approved for temporary access to the easement. A second easement agreement is requested that not only names the City, but also the USACE and clarifies the specific project name (Palm Beach County Shore Protection Project, Delray Beach Segment). While the terms of the agreement are still being set by both the City Attorney's Office and counsel from HHC Atlantic, LLC, approval of this resolution will allow the City Manager to execute the easement agreement once finalized.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

There is no financial impact with this specific request. The renourishment project was approved in the Fiscal Year 2025 through 2029 Capital Improvement Program Budget.

Timing of Request:

Approval of this agreement is required to ensure the project continues on schedule with the USACE. All supporting documents for this project must be submitted to the USACE by August 6.