

EXHIBIT “B”

THOMAS STREET STORMWATER PUMP STATION REPLACEMENT PROJECT

HEALTH/SAFETY

The City of Delray Beach (City) owns and operates the Thomas Street Pump Station located at 1101 Thomas Street in Delray Beach, Florida. This pump station currently provides stormwater pumping for the 50-acre drainage basin including Thomas Street, Vista Del Mar Drive, and part of Andrews Avenue and Lowry Street. As discussed more-fully below, this project (“Project”) will replace the existing stormwater pump station located on Thomas Street with a new higher capacity stormwater pump station which will be able to remove stormwater from Thomas Street and the surrounding area in Delray Beach, Florida more effectively and efficiently. As the ponding/accumulation of stormwater can cause hazards for vehicles, contain bacteria, and attract mosquitoes, this project will improve the health and safety of the residents of Delray Beach, Florida.

The design of the Project was prepared in conformance with all applicable engineering standards.

COST

The City of Delray Beach (“City”) has estimated and considered the cost of the project but determined that the benefits of more effectively and efficiently removing stormwater from Thomas Street and the surrounding area outweigh the costs. During the design of this project, reasonable efforts were made to minimize the areas of easements to be acquired through Eminent Domain.

ALTERNATE ROUTES

The Project will replace an existing stormwater pump station which is located within existing right of way for Thomas Street. The existing stormwater pump station is proximate to the edge of the right of way and a new location is not feasible without interfering with the use of Thomas Street for vehicle traffic. The permanent easement is needed to perform construction activities for the new stormwater pump station and maintenance, as well as for potential future replacement activities. For these reasons, there is virtually no flexibility as to the location of the permanent easement.

LONG RANGE PLANNING

The City of Delray Beach Stormwater Master Plan, completed by ADA Engineering in February 2019, proposed capacity increases and other major infrastructure improvements to meet South Florida Water Management District and Level of Service criteria for both current and 30-year Sea Level Rise tidal conditions.

The Thomas Street Pump Station is a vital lifeline for approximately 800 residents living in the 50 acre drainage basin. The original pump station was built in the 1970s and has reached the end of its designed useful life (about 50-years). The original pump capacity was designed for a 25-year, 3-day storm event at the time it was designed, which was 18,000 gallons per minute (GPM). A higher pump capacity is required to meet current South Florida Water Management District Level of Service criteria for both current and 30-year Sea Level Rise and tidal conditions. The existing pump station has no backup generator, and its sole power source comes from overhead powerlines, which can render the pump station out of service during frequent outages in peak hurricane season. Finally, the existing pump station does not provide any water quality improvements to the stormwater prior to discharge to the Intracoastal Waterway.

A new 85,000 GPM stormwater pump station will be constructed with an upgraded drainage network, backup generator, diesel fuel tank, buried underground powerlines and onsite water treatment facility. The City intends to construct and install the new expanded stormwater pump station in the same location as the existing pump station. The development of this Project is in conformance with the City's efforts to improve the health, safety, and well-being of its residents by reducing accumulations of stormwater. Given the rising sea levels and storms caused by climate change and the effect on accumulation of stormwater, the replacement of the Thomas Street stormwater pump station with one that more effectively and efficiently pumps stormwater shows the City is seeking to solve long range problems with this Project.

ENVIRONMENTAL IMPACTS

The Project is not expected to have any significant environmental impacts. Any modest environmental impacts will be positive by virtue of reducing stormwater and associated bacteria.

Following is an explanation of the need for the acquisition of a certain easement for the Thomas Street Stormwater Pump Station Replacement Project:

ACQUISITION OF PERMANENT EASEMENT PARCEL 1

The permanent easement ("Permanent Easement") designated as Parcel 1 is reasonably needed for the following purposes and uses: to access a stormwater pump station and appurtenant facilities and equipment (the "Equipment") located on property adjacent to Parcel 1 in order to install, operate, maintain, service, construct, remove, relocate, repair, replace, expand, tie into, and inspect the Equipment. City shall be authorized to perpetually use the property in, on, over, under and across the area of Parcel 1 for such purposes and uses. However, the Equipment shall not be located in the area of Parcel 1 except temporarily during the activities described herein.

Although the owners of the property subject to Parcel 1, and their heirs, successors, and assigns' (collectively, "Owners") activities shall not interfere with the City's use of Parcel 1, this Permanent Easement shall be non-exclusive. City shall have the unrestricted right to remove or relocate any improvements in the event the easement area is required in the future for equipment or personnel to access the easement area for the purposes defined herein. This provision setting forth limitations and obligations of City shall be a covenant running with the land.