



Cover Memorandum/Staff Report

File #: 25-863

Agenda Date: 7/15/2025

Item #: 6.B.

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: July 15, 2025

APPROVAL OF HOLD HARMLESS AND MAINTENANCE AGREEMENT FOR 2002 PELICAN LANE, GULF STREAM, FLORIDA

Recommended Action:

Motion to approve and accept Hold Harmless and Maintenance Agreement.

Background:

The City owns the submerged yacht basin located between Pelican Lane, Gulfstream, Florida, and George Bush Boulevard, Delray Beach, Florida, bearing Property Control Number 20-43-46-09-43-000-0090 ("Yacht Basin"). Sarah M. Barker ("Owner") is the fee simple owner of a parcel of land abutting the Yacht Basin at 2002 Pelican Lane, Gulfstream, Florida 33483 (the "Property"). The Property is located within the municipal boundaries of the Town of Gulfstream, Florida ("Town").

The Owner, or her predecessors, installed a seawall and dock (the "Improvements") within the Yacht Basin. The Owner submitted a permit application to the Town to replace the existing Improvements in their same location. Because a portion of the Improvements are located within the Yacht Basin, a permit will need to be obtained from the City, and an agreement to indemnify and hold the City harmless is required.

This Hold Harmless and Maintenance Agreement permits Owner to keep her Improvements within the Yacht Basin and requires her to maintain same. As part of the Agreement, Owner will indemnify and hold harmless the City for any acts or claims related to the Improvements.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

N/A

Timing of Request:

The Owner has a permit application pending with the Florida Department of Environmental Protection that cannot be approved until the City of Delray Beach authorizes the Improvements located within the Yacht Basin.