

RESOLUTION NO. 163-25

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, 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; FURTHER AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Delray Beach Shore Protection Program consists of the design, permitting, construction, and monitoring of approximately 2.6 miles of shoreline; and

WHEREAS, the primary focus of the program is to provide for the protection and enhancement of the beach and coastal resources in accordance with State and Federal permit conditions; and

WHEREAS, the City of Delray Beach ("City") holds a Joint Coastal Permit, Permit No.0303553-001-JC, with the Florida Department of Environmental Protection and the United States Army Corps of Engineers ("USACE") for sand nourishment of the beachfront with offshore borrow areas for the project known as the Palm Beach County Shore Protection Project, Delray Beach Segment ("the Project"); and

WHEREAS, in anticipation of the Project, scheduled for Winter 2025 to 2026, the USACE, the primary project manager, requires legal access paths to the beach; and

WHEREAS, HHC Atlantic, LLC owns a parcel of land located at approximately A1A and Casuarina that provides a central access path to the beach; and

WHEREAS, the USACE requires authorization to access the beach in the subject location to allow the Program to move forward; and

WHEREAS, the City and HHC Atlantic, LLC are finalizing the terms of the temporary construction easement; and

WHEREAS, the City Commission deems approval of this Resolution to be in the best interest of the health, safety, and welfare of the residents and citizens of the City of Delray Beach and the public at large.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The foregoing recitals are hereby affirmed and ratified.

Section 2. The City Commission authorizes the City Manager to execute the temporary construction easement between the City of Delray Beach and HHC Atlantic, LLC and to take any and all actions necessary to effectuate the intent of this resolution

Section 3. This resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED in regular session on the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

ATTEST:

\_\_\_\_\_  
Alexis Givings, City Clerk

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Thomas F. Carney, Jr., Mayor

Approved as to form and legal sufficiency:

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Lynn Gelin, City Attorney