

**INDIAN RIVER COUNTY, FLORIDA
BOARD MEMORANDUM**

CONSENT

TO: Jason E. Brown
County Administrator

THROUGH: Richard B. Szpyrka, P.E.
Public Works Director

FROM: Kendra Cope, M.S.
Environmental Specialist

SUBJECT: **Work Order No. 9 - Morgan & Eklund, Inc. Legal Descriptions and Sketches for Construction Easements in Sectors 3, 5 and 7**

DATE: January 9, 2019

DESCRIPTION AND CONDITIONS

On October 4, 2016, the Board approved a contract with Morgan and Eklund, Inc. (M&E) for Professional Land Surveying and Mapping Services for a two-year term. The Board amended the Contract on October 18, 2016. The contract was renewed for an additional two-year term on October 4, 2018. M&E is the selected County Consultant for professional onshore/offshore hydrographic surveying and mapping services.

As a part of the permit process for Beach and Dune Restoration projects, the State requires an Erosion Control Line (ECL) be established over the entire project area. The ECL identifies the location of the Mean High Water Line within the project area and is referenced in construction easements signed by property owners prior to construction. The ECL for Sectors 3 and 7 were established prior to the original Beach and Dune Restoration projects constructed in 2010 and 2007, respectively. However, the temporary construction easements signed by property owners have either expired or include language that is outdated. In order to place sand fill on private property as surveyed under the ECL during the Sector 3 and Sector 7 Beach and Dune Renourishment projects, Indian River County is required to obtain a new Construction Easement from property owners within the Sector 3 and 7 Project areas.

On May 1, 2018, the Board approved Work Order No. 6 with Morgan and Eklund, Inc. which authorized professional surveying services necessary to establish an ECL for the Sector 5 Beach and Dune Restoration project area. Once the Mean High Water line has been delineated, Indian River County is required to obtain a Construction Easement from property owners within Sector 5, in order to place sand fill on private property as surveyed under the ECL during the Sector 5 Beach and Dune Restoration project, expected to begin November 2019.

The proposed Work Order No. 9, in the amount of \$68,022.50, authorizes Morgan and Eklund, Inc. to prepare and/or update legal descriptions and sketches for the approximate 338 parcels adjoining the Sector 3, 5, and 7 ECL/Mean High Water line. The legal descriptions and sketches will be attached to the Construction Easement package. For project tracking purposes, Work Order No. 9 is divided into three (3) separate tasks.

Task 1: Sector 3

In 2010, property owners signed a temporary construction easement (TCE) allowing the County to place sand fill on private property as surveyed under the ECL during the Initial Sector 3 Beach and Dune Nourishment project and subsequent Dune restoration project in 2015. The language in this document is considered outdated and a new Construction Easement will need to be obtained to allow for sand fill on private property during the Sector 3 Beach Renourishment project, expected date Winter 2019/20 or Winter 2020/21, and ensure the recreational use of sandy beaches post project completion. Task 1 includes updating all legal descriptions and sketches necessary for Construction Easement packages for an estimated 176 properties located within the Sector 3 project area. Task 1 totals a lump sum amount of \$35,420.00.

Task 2: Sector 7

In 2007, property owners signed a temporary construction easement (TCE) allowing the County to place sand fill on private property as surveyed under the ECL during the Initial Sector 7 Beach and Dune Nourishment project. These TCEs are now expired and a new Construction Easement will need to be obtained to allow for sand fill on private property during the Sector 7 Beach Renourishment project, expected date Winter 2019/20 or Winter 2020/21, and ensure the recreational use of sandy beaches post project completion. Task 2 includes updating all legal descriptions and sketches necessary for Construction Easement packages for an estimated 91 properties located within the Sector 7 project area. Task 2 totals a lump sum amount of \$18,313.75.

Task 3: Sector 5

The Sector 5 area currently does not have an established ECL. The County is expecting to begin permit required surveys to establish the ECL within the Sector 5 project area in Spring 2019. Once the mean high water line has been delineated, a Construction Easement will need to be obtained from property owners to allow for sand fill on private property during the Sector 5 Beach and Dune Nourishment project, and ensure the recreational use of sandy beaches post project completion. Task 3 includes creating all legal descriptions and sketches necessary for Construction Easement packages for an estimated 71 properties located within the Sector 5 project area. Task 3 totals a lump sum amount of \$14,288.75.

FUNDING

Funding for the individual tasks are as follows:

Task 1: Sector 3

Funding for Task 1 is budgeted and available for physical monitoring of the Sector 3 Beach Restoration Project area in the Sector 3 Beach Renourishment/Hurricane Matthew fund, Account No. 12814472-066514-17001. Task 1 totals a lump sum amount of \$35,420.00.

Task 2: Sector 7

Funding for Task 2 is budgeted and available for physical monitoring of the Sector 7 Beach Restoration Project area in the Sector 7 Beach Renourishment/Hurricane Matthew fund, Account No. 12814472-066512-17001. Task 2 totals a lump sum amount of \$18,313.75.

Task 3: Sector 5

Funding for Task 3 is budgeted and available for physical monitoring of the Sector 5 Beach Restoration Project area in the Sector 5 Beach Renourishment/Hurricane Matthew fund, Account No. 12814472-066510-17001. Task 3 totals a lump sum amount of \$14,288.75.

RECOMMENDATION

The recommendation of staff is for the Board to approve Work Order No. 9 to the Professional Land Surveying and Mapping Services contract with Morgan and Eklund, Inc. and authorize the Chairman to sign on behalf of the County.

ATTACHMENT

Morgan and Eklund, Inc. Work Order No. 9

APPROVED AGENDA ITEM FOR: JANUARY 22, 2018