

**INDIAN RIVER COUNTY, FLORIDA
MEMORANDUM**

TO: Board of County Commissioners

THROUGH: John A. Titkanich, Jr., County Administrator
Kylie Yanchula, Natural Resources Director

FROM: Quintin Bergman, Coastal Resources Manager

SUBJECT: **Access Agreements for Sector 4 Hurricanes Ian and Nicole Dune Renourishment**

DATE: August 27, 2024

DESCRIPTION AND CONDITIONS

The Sector 4 project area is a 2.9-mile section of shoreline that extends from Florida Department of Environmental Protection (FDEP) Reference Monument R-55 in the north (approximately ½ mile south of the Turtle Trail Beach Access) to R-70 in the south (approximately ½ mile north of the Tracking Station Beach Park). The Sector 4 project area sustained damage from Hurricanes Ian and Nicole in late 2022 and needs a large-scale dune restoration project to maintain protection to upland properties and infrastructure.

On August 4, 2024, the County began inviting potential contractors to bid (#2025004) on the Sector 4 Hurricanes Ian and Nicole Dune Renourishment Project (Sector 4 Project). Bids were opened on September 4, 2024. The Recommendation of Award is being brought before the Board of County Commissioners (Board) for approval in a separate Departmental Item. If awarded, the construction of the Sector 4 Project is slated to begin in November 2024. Construction permits already obtained identify 3 locations that can be used as equipment staging and material access routes to the sandy beach: Turtle Trail Beach Access, Beachcomber Lane Right-of-Way (ROW), and 1 Sea Ct. Indian River Shores, FL 32962 (Lot 1). Lot 1 and the Beachcomber ROW are located within the 2.9-mile section of Sector 4 and are expected to receive beach-compatible sand in the shape of a dune.

County staff reached an agreement with the Town of Indian River Shores to temporarily use the Beachcomber ROW for the construction of the Sector 4 Project. Staff reached an agreement with the owner of Lot 1 to temporarily use Lot 1 for the construction of the Sector 4 Project. Lot 1 is located within the Johns Island Community. Additionally, County staff reached an agreement with the Johns Island Property Owners Association (JIPOA) to temporarily use the private roads for the construction of the Sector 4 Project. The County's Parks, Recreation, and Conservation Department maintains Turtle Trail Beach Access, the use and access of this beach park will be coordinated with the Parks Division.

The agreements contained herein for Board consideration were authored in coordination with the County's Legal Department and contain requirements required by the County's Risk Division. These agreements were provided to each entity's point of contact and determined to be acceptable. All three agreements outline requirements for site restoration efforts that the County and its contractor shall be responsible for after each access site is used. There are no direct costs associated with the execution of these agreements. Terms of these agreements are for the duration of the Sector 4 Project, beginning on October 15, 2024, and intended to sunset no later than May 1, 2025, unless extended and agreed to by all parties. Should the anticipated Sector 4 Project not move forward, the County has until October 14, 2024, to cancel any of the Agreements.

FUNDING

There is no funding associated with the execution of the three Agreements.

RECOMMENDATION

Staff recommends the Board approve the three Agreements for Access and Sand Renourishment for the Sector 4 Beach Area and authorize the chairman to sign on behalf of the County.

ATTACHMENTS

1. Agreement - IRS
2. Agreement - Lot 1
3. Agreement - JIPOA

APPROVED AGENDA ITEM FOR: SEPTEMBER 24, 2024