

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE CONSENT TO EASEMENT AGREEMENTS WITH THE UNITED STATES OF AMERICA, DEPARTMENT OF THE ARMY FOR CONSTRUCTION OF TIDAL FLOODING MITIGATION IMPROVEMENTS FOR SITES 18 AND 20 OF THE TIDAL FLOODING MITIGATION AND SHORELINE PROTECTION PROJECT, A GENERAL OBLIGATION BOND PROJECT.

WHEREAS, in a Special Election held on March 12, 2019, City voters approved a variety of projects to be funded by a General Obligation Bond, including the Tidal Flooding Mitigation and Shoreline Protection Project (“Project”); and

WHEREAS, On October 21, 2020, the City Commission passed and adopted Resolution No. R-2020-275, approving an agreement with Cummins Cederberg which included full design services, grant assistance, and permitting for the construction of 22 separate sites of the Tidal Flooding Mitigation and Shoreline Protection Project including Sites 18 and 20; and

WHEREAS, a Construction Manager at Risk (“CMAR”) Phase II Construction Services Agreement was executed with The Whiting-Turner Contracting Company for the Project, pursuant to Resolution No. R-2025-288, for various sites; and

WHEREAS, this portion of the Project includes eight sites that are currently under construction, including Sites 18 and 20, all of which are scheduled to be completed in the Fall 2026, and

WHEREAS, each site, depending on location and proposed scope of work, may need permits from several agencies including the Broward County Environmental, Broward County Surface Water, Florida Department of Environmental Protection, South Florida Water Management District and the Army Corps of Engineers; and

WHEREAS, the Department of the Army has issued Department of the Army No. for SAJ 2019-01654 (NW-KMM) and Permit No. SAJ-2024-05078 (LP-KMM) for Sites 18 and 20, which authorized the City’s construction of the specified structures under certain conditions, including the requirement that the City obtain Consent to Easement Agreements from the Department of the Army; and

WHEREAS, the Department of the Army has a right-of-way easement over portions of the above-referenced Project Sites which reserves to the Department of the Army the

right, in perpetuity, to use said easement for the construction, improvement, and maintenance of the Intracoastal Waterway; and

WHEREAS, the City Engineer and the Director of Design and Construction Management recommends that the City Commission approve and authorize the execution of the attached Consent to Easements to use Corps of Engineers' right-of-way for SITE 18-CTE\_DACW17-9-25-0109 and SITE 20 - CTE\_DACW17-9-25-0087.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes the execution, by appropriate City officials, of the attached Consent to Easements to use Corps of Engineers' right-of-way for SITE 18-CTE\_DACW17-9-25-0109 and SITE 20 - CTE\_DACW17-9-25-0087, together with such non-material changes as may be subsequently agreed to by the City Commission and approved as to form and legal sufficiency by the City Attorney.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
JOSH LEVY, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
DAMARIS HENLON  
CITY ATTORNEY