

TOWN OF PALM BEACH

Public Works Department

MINUTES OF THE SHORE PROTECTION BOARD HELD ON THURSDAY, APRIL 14, 2016

I. CALL TO ORDER

The meeting of the Shore Protection Board was called to order on Thursday, April 14, 2016, at 9:00 a.m. in Town Council Chambers.

II. ROLL CALL

On roll call, all members were found to be present with the exception of Board Member Katz who arrived at 9:07 a.m.

III. PLEDGE OF ALLEGIANCE

Chair Ecclestone led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Motion was made Board Member Johnson, and seconded by Vice Chair Frank, to approve the Agenda. The motion carried unanimously.

V. APPROVAL OF THE MINUTES OF THE JANUARY 21, 2016 AND FEBRUARY 25, 2016 MEETINGS

Motion was made by Vice Chair Frank, and seconded by Board Member Goldstein, to approve the Shore Protection Board Meeting Minutes of January 21, 2016 and February 25, 2016. The motion carried unanimously.

VI. COMMUNICATIONS FROM SHORE PROTECTION BOARD MEMBERS

Board Member Goldstein complimented the staff on the Phipps Ocean Park/ Reach 7 Beach Nourishment project.

Public Works Director Brazil reported that most, if not all, of the contingency money from the Phipps Ocean Park/Reach 7 project was returned to the General Fund Contingency.

Vice Chair Frank requested an update from staff regarding Town Council's decision for the proposed dune planting project.

Board Member Katz complimented the staff and engineers on the Phipps Ocean Park/ Reach 7 Beach Nourishment project, requested information on optimum areas for dune

**MINUTES OF THE SHORE PROTECTION BOARD
HELD ON THURSDAY, APRIL 14, 2016**

vegetation, spoke regarding the need for education about the dune restoration project, and suggested organizing community volunteers for dune vegetation clean-up and protection. Board Member Gavigan spoke regarding the Phipps Ocean Park/ Reach 7 Beach Nourishment project and suggested that the Town be careful with taking an overly legalistic approach with the dune planting area signage.

Board Member Baker complimented staff for the Phipps Ocean Park/ Reach 7 beach re-nourishment project, spoke regarding the sand placement project at Reach 1, the Breakers' erosion control project at Clarke Avenue Beach, and requested that the Town look into and monitor the recent reports of offshore reef damage that occurred near the Palm Beach Inlet and report back at the next Shore Protection Board meeting.

Discussion ensued regarding Town Council's approval to proceed with the dune planting project for both private and public properties, project budget, the responsibility for maintaining the dune vegetation on private property, how to avoid slopes from occurring on the dunes, and how to address signage for the dune plantings on private property.

VII. COMMUNICATIONS FROM CITIZENS

Diane Buhler, Friends of Palm Beach, reported on her organization's beach clean-up efforts in Palm Beach.

Discussion ensued regarding shore protection and beach clean-up efforts, sea turtle monitoring requirements from the State and the Beach Management Agreement, and the Town's financial involvement with sea turtle protection.

VIII. CURRENT SHORELINE CONDITIONS

Robert Weber, Coastal Program Manager

Coastal Program Manager Weber provided an update on the shoreline conditions.

Discussion ensued regarding the Reach 2 conditions improving in the future as a benefit of the Mid-Town Beach Nourishment project, Clarke Avenue Beach being a major hot-spot, and sand tilling.

IX. COASTAL PROJECTS UPDATE

Robert Weber, Coastal Program Manager

This item was covered under Item VIII.

X. COASTAL VULNERABILITY EVALUATION

Robert Weber, Coastal Program Manager

Coastal Program Manager Weber spoke regarding the consideration of a Town-wide flooding vulnerability assessment to bring to the Town Council for approval.

**MINUTES OF THE SHORE PROTECTION BOARD
HELD ON THURSDAY, APRIL 14, 2016**

Discussion ensued regarding cost for the assessment, whether sufficient funds exist in the Coastal Management Program Budget, how the assessment supplements the Comprehensive Coastal Management Plan, whether this project is a want or a need, the flooding issues that are occurring at the Lake Trail, and revising the scope of work to include a study on bulkhead levels for the Intracoastal Waterway.

Motion was made by Board Member Katz, and seconded by Board Member Baker, that Woods Hole Group refine their current scope of work and perform a Coastal Vulnerability Evaluation that includes a study on bulkheads using funds from the Coastal Management Program Budget. The motion carried unanimously.

XI. BEACH CLEANING DISCUSSION

Robert Weber, Coastal Program Manager

Public Works Director Brazil spoke regarding the Town's efforts to clean up the public beaches in conjunction with the volunteer groups and the requests from residents to increase the level of beach clean-up for both public and privately owned beaches.

Discussion ensued regarding whether or not the Town is responsible for cleaning up the privately owned beaches and ways to assist the volunteer organizations so that they can increase their beach clean-up activities.

It was the consensus of the Shore Protection Board to keep the Town's current beach clean-up efforts status quo during the summer months and to review beach cleaning at a future meeting later in the year.

XII. SAND FOREPASSING CONTINUED DISCUSSION

Robert Weber, Coastal Program Manager

Coastal Program Manager Weber provided an overview of the proposed project to mechanically move sand from Reach 1 to Reach 2.

Discussion ensued regarding the timing and logistics of the project, issues with obtaining easements, concerns from residents, letting nature move the sand on its own while the Town goes through the permitting process, getting a ten year easement agreement, possible off-shore sand resources from other reaches, coordinating the sand movement project with the United States Army Corps of Engineers' sand dredging project in order to minimize impact to the residents.

It was the consensus of the Shore Protection Board to allow staff to proceed with the permitting process and coordinate the Reach 2 sand placement project in conjunction with the United States Army Corps of Engineers future sand dredging project at Reach 1.

**XIII. BREAKERS/CLARKE AVENUE BEACH SHORE PROTECTION
ALTERNATIVES**

H. Paul Brazil, P.E., Director of Public Works

**MINUTES OF THE SHORE PROTECTION BOARD
HELD ON THURSDAY, APRIL 14, 2016**

Public Works Director Brazil provided an update on the permit application process for the Breakers/Clarke Avenue Beach erosion control project. Discussion ensued regarding the urgency of the project, reducing the height of the groins, modifications to breakwater structures, issues with not having a clear model on the coastal process for that area, the Town's involvement in the project, the misperception of how the shoreline gets ripped, and continuing to work with a consultant.

Motion was made by Board Member Goldstein, and seconded by Board Member Baker to retain Coastal Systems International to peer review the work that is done by the Breakers. The motion carried 6-1, with Chair Ecclestone recused.

**XIV. RECOMMENDATION TO TOWN COUNCIL REGARDING THE PROPOSED
FY 2017 COASTAL MANAGEMENT PROGRAM BUDGET**

H. Paul Brazil, P.E., Director of Public Works

Public Works Director Brazil provided an overview of the proposed FY 2017 Coastal Management Program Budget.

Coastal Program Manager Weber went over each line item in the FY 2017 Coastal Management Program Budget in detail.

Town Manager Bradford presented and spoke regarding the format that is required by the State for preparing the FY 2017 Capital Budget and Coastal Management Program.

Discussion ensued regarding the costs for sea turtle monitoring activities that are required by the Beach Management Agreement and for obtaining Federal permits, the possibility of getting financial participation from the County for future projects, State eligibility funding requirements, the purpose for the Environmental Impact Study, and the responsibility of the Town vs. the State for beach re-nourishment projects, future projects that could possibly come from the Environmental Impact Study, the timing for the completion of the study, keeping the budget the way it is, and how the Town can seek funding for the out years.

Motion was made by Board Member Katz, and seconded by Board Member Goldstein, to approve the FY 2017 Coastal Management Program Budget of \$9.8 million dollars. The motion carried unanimously.

XV. SCHEDULING OF NEXT MEETING

H. Paul Brazil, P.E., Director of Public Works

- Thursday, October 27, 2016

Public Works Director Brazil recommended that the next Shore Protection Board be scheduled for Thursday, October 27, 2016 at 9:00 a.m.

XVI. ANY OTHER MATTERS

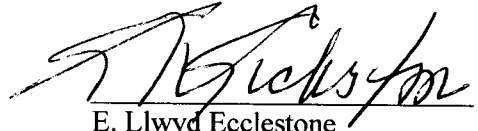
**MINUTES OF THE SHORE PROTECTION BOARD
HELD ON THURSDAY, APRIL 14, 2016**

Staff was directed to keep the Shore Protection Board up to date with the conclusion of results from the Environmental Impact Study.

XVII. ADJOURNMENT

There being no further business, the April 14, 2016, Shore Protection Board meeting was adjourned at 11:45 a.m.

APPROVED:


E. Llwyd Ecclestone
Chairman

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME E. Llwyd Ecclestone		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Shore Protection Board	
MAILING ADDRESS P.O. Box 3267		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY West Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED April 14, 2016		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, E. Llwyd Ecclestone, hereby disclose that on April 14, 20 16 :

(a) A measure came or will come before my agency which (check one or more)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____ ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☐ inured to the special gain or loss of _____ , by
whom I am retained; or
- ☐ inured to the special gain or loss of _____ , which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

RECEIVED

2015 NOV 10 PM 3:15 TWIN CLERK

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

November 9, 2016

Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.