

**MINUTES OF THE SHORE PROTECTION BOARD
HELD ON THURSDAY, FEBRUARY 25, 2016**

I. CALL TO ORDER

The meeting of the Shore Protection Board was called to order on Thursday, February 25, 2016, at 9:03 a.m. in Town Council Chambers.

II. ROLL CALL

The following members were present: Chairman E. Llwyd Ecclestone, Vice Chair Gerald Frank, Mr. Kane Baker, Mr. Lee David Goldstein, Mr. Reuben B. Johnson, and Mr. James C. Gavigan. Mr. Lewis Katz arrived later in the meeting.

III. PLEDGE OF ALLEGIANCE

Chairman Ecclestone led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Motion to approve the agenda was made by Mr. Johnson and seconded by Mr. Goldstein.
The motion carried unanimously.

V. COMMUNICATIONS FROM SHORE PROTECTION BOARD MEMBERS

Vice Chair Frank commented on how the calm seas and good weather have contributed to the distribution of sand on the beaches. Mr. Frank also commented on how pleased he is with the beach re-nourishment project at Reach 7.

Chairman Ecclestone introduced the presenters of the day, Harvey Sasso and Penny Cutt from Coastal Systems International, Inc.

Mr. Johnson commented on how terrific the shoreline looks at Reach 7.

Mr. Goldstein thanked the staff for their contribution to the success of the Reach 7 project.

Mr. Baker echoed Mr. Frank's comments about the Reach 7 sand pumping project and spoke about how pleased he was with the performance of the Sand Transfer Plant. Mr. Baker also commented that despite the El Nino winds and unusual winter weather, the shoreline projects are coming together nicely.

VI. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

There were no comments made by the public.

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VII. CURRENT SHORELINE CONDITIONS [Robert Weber, Coastal Program Manager]

Robert Weber, Coastal Program Manager gave a power point presentation with photographs on the current shoreline condition for each reach.

There were no questions or discussions after the presentation.

VIII. COASTAL PROJECTS UPDATE [Robert Weber, Coastal Program Manager]

• Phipps Ocean Park/Reach 7 Beach Nourishment

Coastal Manager Weber reported that approximately 600 to 700 cubic yards of sand have been placed on Reach 7 from the Reach 6 sand dredging project. Mr. Weber also added that the sand pumped from Reach 6 had a mean grain size of .34 milliliters which exceeds the .25 milliliter requirement listed in the Department of Environmental Protection's (DEP) Beach Management Agreement.

• 2016 Reach 8 and Reach 3 Dune Restoration Truck Haul

Mr. Weber verified that the Town Council approved the Dune Restoration project for Reach 3 and Reach 8 during the February 9th, 2016, Town Council meeting and granted the access points which will be Dunbar Road for Reach 3 and the 3360 S. Ocean Blvd condominium for Reach 8. Mr. Weber affirmed that the project should begin in mid-March.

• Dune Planting

Mr. Weber stated that the dune planting project will be under solicitation for the next 30 days. He also added that once a contractor is selected, Public Works will be presenting the selected contractor to Town Council for approval at the April 12th, 2016, Town Council meeting.

Vice Chair Frank asked if the responsibility of the dune planting maintenance should belong to the Town or to the property owners should the Town Council approve the project. Public Works Director Paul Brazil answered that staff will address those details and ask for direction from the Town Council at the April 12th, 2016, meeting.

Mr. Goldstein stated that the dune planting upkeep should belong to the condominiums. A discussion ensued about the financing and maintenance involved with dune planting.

Mr. Katz commented that the Town should select a contractor with a good track record of dune planting work within the Town. Mr. Brazil replied that the Town has to openly bid the job in order to be competitive and strongly suggested that the Shore Protection Board make a recommendation to add specifications in the RFQ to include contractors with prior dune planting experience in coastal communities. Mr. Katz concurred with Mr. Brazil's

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statement and requested that the Town make their selection for the project based on qualifications, not just the cheapest price. Mr. Brazil acknowledged Mr. Katz's comment and affirmed that the selection of a dune planting contractor should be based on qualifications, not just price. The Shore Protection Board unanimously agreed.

• Lake Worth Inlet/Palm Beach Harbor Maintenance Dredging

Mr. Weber stated that the Lake Worth Inlet maintenance dredging project is expected to begin in early March and should be completed in mid-April. Mr. Weber added that the same dredge that was used for the Reach 7 project will be used for the dredging project in the Inlet by the Corps.

Mr. Goldstein asked how much sand the Sand Transfer Plant (STP) will be able to pump onto the shore after the inlet is dredged. Mr. Brazil answered that the STP gets its sand from the shoreline and therefore the sand dredging in the inlet should have no bearing on the STP's performance. Mr. Weber added that the seasonal fluctuations are what effect the STP's ability to pump sand from the shoreline.

Vice Chair Frank asked if the quality of the sand being dredged from the Lake Worth Inlet has been screened so that it matches the sand type needed for the beach. Mr. Weber answered that sand quality testing has been done and added that the same three quarter inch screens that were used in Reach 7 project will be used for this project to avoid getting a lot of rock material.

• North Ocean Boulevard Seawall Replacement

Mr. Weber reported that the expected completion date for the Seawall Replacement will be in the month of March and should not interfere with the Town's sea turtle monitoring.

• Groin Rehabilitation

Mr. Weber announced that the Groin Rehabilitation workshops are scheduled for March 10, 2016, at 10:30 a.m. and March 18, 2016 at 2:30 p.m. Mr. Weber added that all Shore Protection Board members are invited to attend and provide their input.

Mr. Gavigan asked which project areas will be covered during the workshop. Mr. Weber answered that the workshops will mainly focus on the first phase of the project which includes the southernmost parts of Reaches 2 and 3.

Chairman Ecclestone asked when the Town can expect the permit process for the groin rehabilitation project to be completed. Mr. Weber and Mr. Brazil answered that it is currently unknown but they hope for next winter at the earliest, although that schedule is

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optimistic since the Town is dependent on the federal permitting process.

- **Southern Palm Beach Island Comprehensive Shoreline Stabilization Project
Environmental Impact Statement (EIS)**

Mr. Weber stated that the EIS project which is being managed by the U.S. Army Corps of Engineers, is on schedule to publish the final EIS in late May or early June. Mr. Brazil added that once the results are in, the Town can look at the projects they want to pursue and move forward with obtaining Town Council consideration and begin the permitting process.

- **Artificial Reef/Coral Nursery Permitting**

Mr. Weber reported that the permit from the State is in hand and the funds are in place but the Town is still waiting on comments from the advisory agencies on how to obtain a permit from the Corps of Engineers. Mr. Weber added that there are no timeline restrictions for this project since it will be done in open waters and does not affect sea turtle nesting.

A discussion took place about the benefits and protection for offshore artificial reefs.

**IX. PRELIMINARY FINDINGS FROM PEER REVIEW OF BREAKERS/CLARKE
AVENUE BEACH SHORE PROTECTION ALTERNATIVES [Harvey Sasso, P.E.,
Principal, Coastal Systems International, Inc., and Penny Cutt, Director, Coastal
Systems International, Inc.]**

Chairman Ecclestone recused himself from the conversation for possible conflict of interest.

Mr. Weber provided a brief history of the April 2015 Mid-Town Beach Renourishment project and the erosion that occurred afterwards in the fall and winter months near the Breakers property and to Clarke Avenue Public Beach. In response to this rapid erosion occurrence, the Breakers Resort contracted Humiston and Moore Engineers (H&M) to observe and evaluate the erosion issue along Breaker's and Clarke Ave Beach and provide them with solutions to protect the shoreline.

Guest speaker Harvey Sasso, P.E., of Coastal Systems International, Inc. (CSI), provided a presentation on his assessment of H&M's report entitled "*Evaluation of Shore Protection Alternatives*" which the Breakers Resort agreed to share with the Town staff.

Mr. Sasso stated that the purpose of the assessment was to determine whether or not the solutions proposed by H&M's report would result in any adverse effects to the Town's

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shoreline and to analyze it's consistency with the Town's Coastal Management Plan.

Mr. Sasso reviewed H&M's objectives with the Shore Protection Board and provided a historical review of the re-nourishment projects that have taken place over the years in Palm Beach's mid-town and Clarke Avenue Beach area.

Mr. Sasso went over the four (4) alternative options that were listed in H&M's report to protect the shoreline which are:

- 1) To continue with the beach re-nourishment projects
- 2) The placement of shore perpendicular groins
- 3) The placement of a spur at the south end of the most southerly Breakers' breakwater along with 2 additional spurs and a shore perpendicular groin near Clarke Ave Beach
- 4) Other modifications which include breakwater structures

Mr. Sasso concluded that although he is in agreement with the overall objectives outlined by Humiston & Moore which is to stabilize the beach erosion and reach an equilibrium with the rest of Palm Beach Island's shoreline, the coastal hydro-dynamics are not described sufficiently in their report and further evaluation of the sediment budget is recommended.

A question and answer session took place among Mr. Sasso and the Shore Board members about possible mitigation strategies in the event of impact from the proposed Breakers project.

Mr. Weber read a letter from the Department of Environmental Protection (DEP) regarding their review of the peer findings from Mr. Sasso and H&M's report. Mr. Weber also went over the DEP's recommendations for protecting the Breakers' area shoreline which is by utilizing low profile permeable structures.

A discussion ensued about the use of breakwater structures in the past and how it has historically effected sand flow. Mr. Brazil replied that those questions will be addressed during the permitting process and taken into consideration. Mr. Weber added that a letter of concurrence would need to be written by the Town as part of the Breakers' permitting process.

Paul Leone, President and CEO of The Breakers Palm Beach, spoke about the reason for the study. Mr. Leone emphasized that the project was initiated in partnership with the Lauder family as a proactive approach to the beach erosion problem in both areas.

Mr. Brazil recommended to the Board that the Town continue to engage with CSI while the Breakers moves forward with obtaining permits for the installation of breakwater structures and let the engineers find the answers to the questions regarding any adverse effects as quickly as possible.

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A discussion ensued about the urgent need for the breakwater structures and where to find the funds for allowing CSI to monitor the project. Mr. Brazil requested approval from the Board members to ask Town Council for direction on the funding at the next Town Council Meeting.

A motion to approve the Town's engagement of Coastal Systems International, Inc. to monitor and assess the Breakers' permitting process for the installation of breakwater structures was made by Mr. Goldstein and seconded by Mr. Baker. The motion carried unanimously.

Mr. Leone expressed that he is pleased with the consensus from the Town regarding the need for breakwater structures and the urgency surrounding the project. Mr. Leone also emphasized that the study provided by H&M was initiated in partnership with the Lauder family and therefore, should be considered an equal partner in this proactive effort. Mr. Leone also clarified that the southerly most part of the Breakers beach is also part of the Clarke Avenue public Beach.

X. SAND FOREPASSING [Robert Weber, Coastal Program Manager]

Mr. Weber described the concept of sand forepassing to the Shore Protection Board, which is the mechanical movement of sand. Mr. Weber also provided a historical overview of previous sand forepassing projects within the Town.

Vice Chair Frank asked if the mechanical movement of the sand from Reach 1 further south will help speed up the re-nourishment process and Mr. Brazil replied yes.

Mr. Sasso provided a presentation with photographs on the 32nd Street Miami Beach Breakwater sand forepassing project that occurred in 1999 and how it has benefitted the Miami shoreline today.

A discussion ensued about the areas to be covered, as well as the mechanics and timing involved with the implementation of the sand forepassing project.

Mr. Goldstein asked Mr. Sasso what the U.S. Army Corps of Engineers thought of the project. Mr. Sasso replied that although there were some battles in the beginning, the project ended up being well received in the end.

Mr. Johnson asked about the current status of Miami Beach's sand equilibrium. Mr. Sasso replied that today there are no ongoing beach re-nourishment projects taking place.

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Mr. Brazil spoke about the efforts that will need to take place when undertaking the project and recommended that they start with the mechanical movement of the sand since it is the least impactful portion of the project.

Mr. Baker stated that these structures are not permanent and doesn't believe that they will hurt the ephemeral rock. Mr. Baker also asked about a truck bypass and the permitting process.

A discussion ensued about the mechanical details of the project.

Mr. Brazil recommended that they come back to the Shore Protection Board with more details about the project at a future meeting.

XI. SCHEDULING OF NEXT SPB MEETING [H. Paul Brazil, P.E., Director of Public Works]

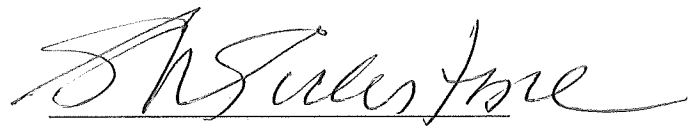
The next meeting is scheduled for Thursday, March 24, 2016 at 9:00 a.m.

XII. ANY OTHER MATTERS

XII. ADJOURNMENT

Chairman Ecclestone adjourned the Shore Protection Board meeting of February 25, 2016 at 11:33 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 Ecclestone, Edwin Llwyd	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Town of Palm Beach 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 ☐ COUNTY ☒ OTHER LOCAL AGENCY
CITY West Palm Beach	COUNTY Palm Beach
DATE ON WHICH VOTE OCCURRED 2/25/2016	NAME OF POLITICAL SUBDIVISION: 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, Edwin Llwyd Ecclestone, hereby disclose that on February 25, 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:

Involves my residence - personal interest

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.

April 25, 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.