



TOWN OF PALM BEACH

Town Manager's Office

MINUTES OF THE SHORE PROTECTION BOARD MEETING HELD ON THURSDAY, NOVEMBER 29, 2018

I. CALL TO ORDER

The Shore Protection Board meeting was called to order on Thursday, November 29, 2018, at 9:00 a.m. in the Town Council Chambers.

II. ROLL CALL

On roll call, all of the board members and alternate board members were present with the exception of Lewis Katz, Vice-Chair, who had an excused absence.

III. PLEDGE OF ALLEGIANCE

Chair Ecclestone led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Motion was made by Board Member Jacoby, and was seconded by Board Member Johnson. The motion carried unanimously.

V. APPROVAL OF THE MINUTES OF THE MARCH 29, APRIL 26, AND MAY 24, 2018 MEETINGS

Motion was made by Board Member Johnson and seconded by Board Member Jacoby to approve the March 29, 2018 minutes. The motion carried unanimously.

Motion was made by Board Member Gavigan to approve and seconded by Board Member Jacoby to approve the April 26, 2018 minutes. The motion carried unanimously.

Motion was made by Board Member Gavigan and seconded by Board Member Jacoby to approve the May 24, 2018 minutes. The motion carried unanimously.

VI. COMMUNICATIONS FROM SHORE PROTECTION BOARD MEMBERS

Alternate Board Member Lorentzen communicated there was a lot of seaweed this summer and the beaches are in good shape. Lorentzen indicated that the Gulfstream groin is holding up very well it's catching a lot of sand on the up-drift side, the down-drift side is a little bit low on sand but is to be expected, it will fill in when sand gets around groin.

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1 Alternate Board Member Belmar stated that, as volunteers, it would be helpful if staff kept
2 the Shore Protection Board aware, contemporaneously, of relevant happenings in Town
3 rather than having the Shore Protection Board not being advised of such developments
4 until its next meeting. Belmar continued that in March a question was raised by the Shore
5 Protection Board regarding Town liability with respect to the groins. As the Town
6 Attorney issued an opinion to the Town Council back in June, Belmar requested that the
7 Shore Protection Board be sent a copy. Director of Public Works, Paul Brazil, responded
8 that staff will get an excerpt from that Council meeting to share with the Shore Protection
9 Board. Board Member Ceriale asked for the attorney's opinion. Director Brazil indicated
10 that there is a new liability, but there are also limits to the Town's liability as a government
11 entity, so it didn't drive Council in one direction or another. The conversation about the
12 groins concluded with staff reminding the Board that Council directed staff to secure the
13 permit.
14

15 Board Member Baker asked about the private groins. Director Brazil responded they are
16 private. Brazil indicated the Town already has an existing liability for their own groins. If
17 the Town touches the groins on private property, is the Town inheriting a new liability that
18 the Town didn't have before. The answer is yes, the Town is, but there are limits to the
19 liability as the Town is a government entity.
20

21 Board Member Kinzelberg asked if the Town will pay on current groins on private
22 property. Director Brazil responded that in the past, the demolition of the old and the
23 construction of the new will be paid by the Town. Board Member Kinzelberg asked
24 currently who is liable if there is an injury on those groins. Director Brazil replied there
25 have been a few injuries which Risk Management was informed and said they were not
26 The Town's. Property owners' groins, are their responsibility. The Town has never been
27 sued.
28

29 Chairman Ecclestone asked with new design of groins, Coastal Program Manager, Robert
30 Weber, should go around to the property owners to get approvals. Manager Weber
31 responded that if the Town moves forward, easements would be gathered from all the
32 property owners. Board Member Gavigan asked what the time line is. Director Brazil
33 responded that right now the direction from Town Council is to secure the permit. As far
34 as implementing a program, there is no time line and there is no financing. Manager Weber
35 has a draft permit from the Army Corps of Engineers and is working with language to make
36 sure it meets the Town's needs and the special conditions meet the Town's expectations.
37 Manager Weber expects permit issued with changes in the next few days. Anticipation was
38 for January's meeting to have a deeper conversation for receipt of permit and including
39 liability.
40

41 Chairman Ecclestone does not remember approving to see where groins are going to be
42 installed. Director Brazil indicated that the Town-wide groin rehabilitation program was
43 presented to the Shore Protection Board, who recommend approval from Town Council,
44 and that is what the Town is getting permits for. There are specific locations of what comes
45 out and what goes in and where. Chair Ecclestone asked for drawings of existing groins
46 and where the new ones will go, that would be wonderful for the Board. Director Brazil

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1 said it is in the Groin Rehabilitation Program and staff can distribute it to the Board again.

2
3 Board Member Ceriale asked for an update on The Breakers situation. Coastal Manager
4 Weber replied that the Technical Advisory Committee has met online, and not in person,
5 since the Board last met. The modeling has taken them longer by a few months. Staff will
6 have results in time for the January meeting. The results will be presented at the January
7 meeting.
8

9 Board Member Johnson is looking forward to the future and function of the Shore
10 Protection Board as he is interest in all the time spent for the meetings and is mindful of
11 that. Member Board Member Johnson inquired how can we make the Shore Protection
12 Board more efficient, is the Board's efforts helpful to the Town Council.
13

14 Board Member Gavigan indicated that the groin rehabilitation program, the 15 year period,
15 and nothing has been done. There is a big turnover by commissioners and county members,
16 people being re-educated. It's disappointing. It's dangerous as the problem is not being
17 taken care of. Director Brazil responded that the original Shore Protection Board was put
18 in to place to help develop a long term program, the program was defined, peer reviewed,
19 financed, the Shore Board was dissolved, and staff implemented that program. The second
20 Shore Board was put into place because the Town was coming to the end of that program
21 and challenges were changing. It took 3-4 years of education, building relationships with
22 regulatory, and finally put together another 10 year program which is being implemented
23 now. The Town-wide groin program was never part of that program.
24

25 Town Council Member Lew Crampton addressed the Board to share that there was no
26 mention about the amount of funding for projects that have been secured by the Mayor and
27 Manager Weber and federal and state sources. That should brighten the outlook that some
28 of this work will be done.
29

30 Board Member Ceriale shared that she has been on the Board for close to two (2) years and
31 has a high level of frustration on how things are being perceived, the time and money spent
32 is distressing to everybody. Member Ceriale expressed that there are the same items over
33 and over again that the Board spends an extraordinary amount of time rehashing and the
34 Shore Protection Board does not feel productive. The Town Council is not getting anything
35 new from the Board. There needs to be a better system in place, a communication should
36 be put in place. There will be less frustration and the Board can be productive. Director
37 Brazil replied that these programs take years and they are rehashed because staff is working
38 on the same projects. Member Ceriale says the Board would like an update and wants an
39 acknowledgment that things are moving and, giving recommendations
40

41 Town Council Member Julie Araskog voiced there was no suggestion of eliminating Shore
42 Protection Board, there are recommendations for every Board.
43

44 Board Member Baker said that the Shore Protection Board is here for a reason and serves
45 a good purpose. Member Baker asked what is the Shore Protection Board's job to
46 communicate to public and to facilitate turtle nesting and beach cleanup, the Board would

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1 like to think they have a stronger purpose. Director Brazil replied that the Board's purpose
2 is to provide guidance to Town Council to dig into what does the program look like, is it
3 reasonable, how are beaches performing and, what next phase is, what are we looking at in
4 the next 10 years, what does it look like after these 5 years after that. That is what Town
5 Council needs from the Shore Protection Board.

6
7 Board Member Ceriale asked to make a motion for workshop to discuss with staff what is
8 the best purpose of this group and what is Board's mission and goals. Director Brazil
9 suggested that a motion was unnecessary and a workshop would be worked in to future
10 meetings.

11
12 **VII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE**

13
14 There were no communications from citizens.

15
16 **VIII. HISTORICAL AND CURRENT SHORELINE CONDITIONS**

17 [Robert Weber, Coastal Program Manager]

18
19 Coastal Program Manager, Robert Weber, presented historical and current pictures of
20 shoreline conditions.

21
22 **IX. COASTAL PROJECTS UPDATE**

23 [Robert Weber, Coastal Program Manager]

24
25 Coastal Program Manager Robert Weber proceeded with project updates.

26
27 **X. DRAFT ANNUAL SHORE PROTECTION BOARD REPORT TO TOWN COUNCIL**

28
29 Coastal Program Manager Robert Weber said if the Shore Protection Board approves the
30 report, it will go to the Town Council meeting December 11, 2018. Alternate Board
31 Member Belmar proposes changes to 2018 Coastal Protection Projects.

32
33 **Motion was made by Board member Kinzelberg to approve Annual Report. Motion**
34 **seconded by Board Member Ceriale. The Motion carried unanimous.**

35
36 **XI. SCHEDULING OF FUTURE MEETINGS**

37
38 Public Works Director, Paul Brazil said that the Town Manager and Town Council
39 questioned, for all commissions, should the number of meetings be minimized as Town
40 Council believes the Shore Protection Board is necessary and meeting on a regular basis is
41 there value, as there is a lot of staff time that goes into meeting preparation. Meeting every
42 month is not the answer, however, where is the happy medium to give advice to Town
43 Council. Chairman Ecclestone suggests meeting as necessary.

44
45 Board Member Ceriale inquired when is Town Council looking to make a decision on the
46 Shore Protection Board future meetings. Manager Weber replied that Town Council said
47 staff is to work with the Board to find a solution with the Board. Member Ceriale asked

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1 should time be spent on a workshop to come together in lieu of meetings. Director Brazil
2 suggests staff gives very brief back-up, but history what the previous Shore Board did, how
3 the Town transitioned that there is a need for a new Board, history of what was done.
4 Member Kinzelberg asked if the Board can have GANTT charts for major projects in
5 between meetings in lieu of meetings. Director Brazil said when working with capital
6 projects, there is a breakdown in the form of a worksheet indicating what staff is doing,
7 what is the cost, what is the major elements, there is a text breakdown, the schedule is the
8 back-ground and the update. Director Brazil said if there is no meeting, staff can send charts
9 to update the Board via email.

10
11 Woods Hole asked to move January 31, 2019 meeting to January 24, 2019.

12
13 Board Member Johnson suggested a workshop occur. Director Brazil indicated possibly
14 March 21, 2019 for a workshop. Staff owes the Shore Protection Board an update on Town
15 Council actions as they occur. Staff will look at photo history to be used for source for
16 public outreach and goodwill to program. Board Member Jacoby said that the Shore
17 Protection Board should relay to the community to do whatever needs to be done to let
18 people understand that this is an issue. Resident Mr. Silvin serves as Vice President of the
19 Landmark Commission, he shared that it is beneficial and offered to set up audio for Town
20 Council meetings so complete information circle is relayed to the Board.

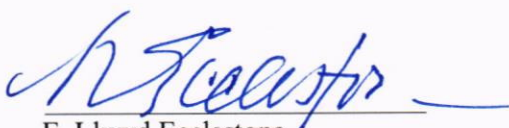
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22 **XII. ANY OTHER MATTERS**

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24 **XVI. ADJOURNMENT**

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26 **There being no further business, the Shore Protection Board of November 29, 2018, was**
27 **adjourned at 12:00 p.m.**
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32 APPROVED:

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E. Llwyd Ecclestone
Chairman

Meeting audio is located at:
<https://www.townofpalmbeach.com/853/Meeting-Audio>