

# TOWN OF PALM BEACH

Office of the Town Clerk

## REPORT OF THE SHORE PROTECTION BOARD MEETING HELD ON APRIL 21, 1998

### I. CALL TO ORDER

The meeting of the Shore Protection Board was called to order at 2:00 P.M. on April 21, 1998, in the meeting room of the Town of Palm Beach South Fire Rescue-Station.

### II. ROLL CALL

On roll call the following Shore Protection Board Members were in attendance: Chairman Garrison D. Lickle, Vice Chairman George M. Moffett, II, Eileen C. Curran, Wayne F. Dimm, Gerald H. Levy, Joel Martino, and Richard Raffo. Board Members Edward Hennessy, Jr., and Charles C. Isiminger were absent from the meeting. Others in attendance for all or a portion of the meeting included: Town of South Palm Beach Mayor Margot Roberts, Applied Technology & Management (ATM) Vice President Dave Decker, and President of the Palm Beach Garden Club Meredith Newton. Staff members in attendance from the Town of Palm Beach were: Acting Town Manager Peter Elwell, Public Works Director Al Dusey, and Town Clerk Mary Pollitt.

### III. APPROVAL OF AGENDA

The Agenda was unanimously approved as printed, through motion of Vice Chairman Moffett, seconded by Board Member Levy.

### IV. APPROVAL OF REPORTS OF THE SHORE PROTECTION BOARD MEETING HELD ON FEBRUARY 17, 1998, AND MARCH 17, 1998

The reports of the Shore Protection Board Meetings held on February 17, 1998, and March 17, 1998 were unanimously approved through motion of Vice Chairman Moffett, seconded by Board Member Levy.

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**V. UPDATE OF ECONOMIC MODELING - DR. WILLIAM STRONGE**

Dr. Stronge distributed the report entitled "Recreational Beach Use on Palm Beach Island - Winter 1998." He explained that the report included a survey undertaken of 770 beach users on Palm Beach Island, Florida, conducted for eight days beginning March 7, 1998. After discussion of the calculation process, geographic locations, weather conditions, and variables associated with the survey, Dr. Stronge responded to questions concerning residential use of the beach and the associated value of the beach to residents.

Board Member Martino suggested that there should be four categories used as reasons to save and protect the beach: storm protection, recreation, amenity, and environmental. He noted that the survey report was excellent in order to obtain money from the Federal and County governments, because recreation value was meaningful in that circumstance, however, when residents were approached for money the recreation value would be less meaningful. He asserted that interpolating a way to charge residents through the use of the survey report would not be successful in the support of a taxation program.

Acting Town Manager Elwell explained that the methodology of Dr. Stronge was to survey in order to make sure that the actual users of the beach, those actually receiving a recreational benefit, were being assigned the appropriate proportion of the cost related to that benefit. The storm protection benefit would then be based on the value of the property being protected, and the amount of protection received by those properties.

Applied Technology & Management Vice President Dave Decker commented that an equitable assessment plan could be attained, however, it could become so complicated that it would be difficult to apply reasonably. Realistically, an amenity value could not be determined, thus it would be better not to refer to it.

Mr. Martino explained that the reason he had brought up the amenity issue was because of the concerns of residents as to how they would be taxed.

Chairman Lickle suggested that after the second portion of the survey is completed, samples of some of the properties be run in order to determine taxation/assessment rates.

Mr. Dimm suggested that the formula implemented by insurance companies could be used wherein two neighboring properties could have the same policy, and pay an entirely different premium, depending on distance from the ocean and elevation. Homeowners accept and pay the different insurance premium rates and the same type of formula could be applied to the taxation/assessment rates for the beach erosion project.

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Mr. Decker pointed out that there was a methodology for evaluating how prone a property was to being impacted by a storm, however, it would depend on the degree of complication desired. A more complicated level of valuation would be subject to more scrutiny.

Dr. Stronge explained that a storm protection analysis would be done on a property by property basis.

Mr. Raffo asked how commercial establishments, for example, The Breakers, would be assessed? He suggested that perhaps additional assessments could be applied to commercial establishments.

Dr. Stronge replied that the plan in Captiva Island had a different and higher assessment rate on commercial properties than on residential properties. The bulk of beach use in the Town of Palm Beach is from day visitors, who are coming across the bridge to use the beaches, which is unlike Captiva Island, where there was a huge overnight tourist population using the beach. Support data would have to be gathered in order to assess additional rates on commercial establishments, and there would have to be some connection to use of the beach. He explained that a very profitable restaurant would most likely have a fairly high assessment on its real estate, so that when ad valorem rates were applied assessment rates would be equitable.

Chairman Lickle commented on the issue of surveying the residents of Palm Beach, and expressed concern that all members of the Shore Protection Board should have an understanding of why the residents would, or would not be, surveyed.

Mr. Martino suggested that a written statement be provided to the residents as to why they were not being surveyed.

Chairman Lickle replied that if the Shore Protection Board was satisfied that there was a legitimate answer, he did not see the need for a written statement, giving the reasons that the cost of doing it versus the relative difference of understanding may not be acceptable, as well as the issue of the worth of property to the individual resident.

Board Member Curran expressed concern over the explanation she could give to a neighbor who would question why he was not contacted or asked to give an opinion of the beach project as a resident of Palm Beach.

Dr. Stronge replied that there had been some controversy concerning these types of survey studies, which had led to a review of the studies. He explained that the results of this particular survey would show that the primary users of the beach were not from the Town at all, and it seemed very likely that when the beach was restored the contribution from residents would be relatively

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small, and that engaging in additional survey work to chase the people who never go to the beach to get their opinion was not justified. The property value of a resident would reflect the fact that the beach was there for use, therefore, any tax based on property value would involve a contribution from the resident, even though he/she may not use the beach.

Mrs. Curran responded that she questioned ignoring the input of residents for their right to be able to contribute to the idea that a beach project would be undertaken in the Town of Palm Beach.

Chairman Lickle commented that residents would have a say-so through a referendum, and they were being heard from a statistical data standpoint, because there were people being surveyed who lived on the Island who actually used the beach. He stressed that it was important to explain to residents that there would be a formula used to determine the portion of assessment as related to the property value. As a result of the survey, the residents' out-of-pocket costs would be reduced, as greater than 50% of the people off-Island were using the beach and would also be contributing to the costs.

Dr. Stronge remarked that beachfront communities often made a distinction between maintenance of the beach and major capital projects. With costs of less than one-tenth of a mill per year, for example, he suggested that the program could be sold as a maintenance project, rather than a mega project program. People would be willing to wait for their piece of the beach to be maintained, just as roadways were maintained at different rates.

Acting Town Manager Elwell explained that in any major capital project, the formula would be created based on the overall picture, and the project would then be done in phases. Clearly some people would be paying in their fair share early on, but not see the benefit until later, and vice versa. He noted that there was additional data and analysis needed in order to determine actual figures relating to millage impact. He cautioned that an amount as small as one-tenth of a mill may not be an accurate estimate after more careful review was conducted.

Dr. Stronge noted that the estimated one-tenth of a mill figure had ignored the storm protection benefits, and estimated it would be more like one mill per year, rather than one-tenth of a mill.

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**VI. IDENTIFICATION OF TIME, LOCATION, AND ITEMS FOR CONSIDERATION  
AT THE NEXT SHORE PROTECTION BOARD MEETING**

The next meeting of the Shore Protection Board will be held on June 25, 1998 at 2:00 P.M. at the Town of Palm Beach South Fire-Rescue Station, with the final recommendation of approval of the ATM Report being considered. In mid-August Dr. Stronge would return to present the second portion of the survey and his conclusions.

**VII. ANY OTHER MATTERS**

Chairman Lickle referred to the National Symposium on Beach and Coastal Law, June 3-5, at Captiva Island, Florida, and invited attendance by interested parties.

Mayor Roberts noted that the South Palm Beach Dune Project had been turned down, because the application had slipped through the cracks. Last year it had been funded, however, the governor had vetoed the funding for the project.

Public Works Director Al Dusey noted that he had information from the State that the Dune Project would not be pursued because there was not enough sand in front of the dunes to protect them, therefore, there was no need to spend money on dune restoration that would be immediately washed away.

Mr. Dusey then referred to the information on the application for the Florida Beach Erosion Control Program, explaining that the State requested a plan to be submitted on an annual basis, so that long range planning for beach projects could be done. The application reflected the projects and priorities of the Town's Comprehensive Coastal Management Plan, including two requests for the upcoming year for Reach 7, and for an expanded Mid-Town project.

In response to the request of Mr. Martino regarding sand placement in the north end of Town, Mr. Dusey explained that some months ago the Town Council had authorized staff to pursue easements for the Corps of Engineers to place sand in the north end of the Island, which would result in a higher beach. Approximately twenty property owners had been asked for easements to be given to the Town on behalf of the Corps of Engineers in order to place sand on private property.

Acting Town Manager Elwell addressed the question of liability, stating that the homeowners had been advised that insurance was an issue, and they would need to decide if a substantial quantity of free sand, that would give them storm protection, was of sufficient value to them to assume the additional risk of liability. He explained that the Federal government would not provide indemnification.

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Applied Technology & Management Vice President Dave Decker advised that the Aubrey Consulting "Peer Review" Report was edited, and copies would be distributed for review within the next week. Chairman Lickle commented that, assuming that the overall ATM report was acceptable, it could be approved at the next meeting of the Shore Protection Board. It could then be taken before the Town Council with an overview summary for acceptance, with a full presentation of the beach project being conducted at the November Town Council Meeting.

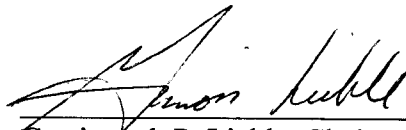
Chairman Lickle noted that Public Works Director Dusey would research the Hillsborough Project, and would determine if there was merit in having the people involved address the Shore Protection Board.

In response to Mrs. Curran, Public Works Director Dusey explained that the additional funding had been authorized for the Inlet Study being done to establish whether the Inlet was the cause of beach erosion, which would go forward immediately.

Mr. Decker stated that it would be critical to support the outcome of the study by finding historical information concerning the shoreline on the Island of Palm Beach. He urged that anyone having old photographs, construction plans, etc., contact him.

**VIII. ADJOURNMENT**

The meeting was adjourned at 4:50 P.M.

  
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Garrison duP. Lickle, Chairman