

# TOWN OF PALM BEACH

Office of The Town Clerk

## REPORT OF THE SHORE PROTECTION BOARD MEETING HELD ON FRIDAY, MARCH 19, 2010

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### I. CALL TO ORDER

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3 The meeting of the Shore Protection Board was called to order at 9:00 a.m., on Friday, March 19,  
4 2010, in the Emergency Operations Center, 355 S. County Road, Palm Beach, Florida.

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### II. ROLL CALL

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7 On roll call, the following Members were found to be present: Chair Ecclestone, Vice Chair  
8 Frank and Members Lindsay Buck, Goldstein and Cooper. Member Katz had an excused absence  
9 and Member Baker had an unexcused absence.

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### III. PLEDGE OF ALLEGIANCE

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12 Chair Ecclestone led the Pledge of Allegiance.

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### IV. APPROVAL OF AGENDA

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15 **Motion to approve the Agenda as presented was made by Member Goldstein and seconded**  
16 **by Member Cooper. On voice vote, the motion carried unanimously.**

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### V. APPROVAL OF THE MINUTES OF THE JANUARY 22, 2010 MEETING

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19 **Motion to approve the Minutes of the January 22, 2010 made by Member Lindsay Buck,**  
20 **seconded by Member Goldstein.**

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22 Chair Ecclestone discussed the letter that Member Lindsay Buck wrote to County Commissioner  
23 Karen Marcus and other Commissioners and what the response was. Member Lindsay Buck  
24 responded that she had heard from two commissioners (Marcus and Aaronson), and she stated  
25 that some of the Town Council members are stepping up and are beginning to meet with County  
26 Commissioners. She was happy with the increased communications from the Town and County  
27 officials and Board Members.

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29 She added that she attended a meeting last week with Jimmy Ryan, County Commissioner  
30 Priscilla Taylor and Council President Pro Tem Gail Coniglio along with members from the  
31 south end for a walking tour of the beaches.

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1 She provided other brief updates with communications with the County.

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3 Town Manager Elwell added that the Town Council recently identified Council Member Kleid  
4 as the leader of a local County Budget Task Force. While individual Town Council Members  
5 had spoken with County Commissioners, the Task Force is a more formal effort working with  
6 the community as well as to have a dialogue with the County, particularly about money.

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8 Chair Ecclestone asked Member Lindsay Buck to work with Council Member Kleid to speak  
9 with one voice. She indicated that she would keep the Board updated.

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11 **On voice vote, the motion carried unanimously.**  
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13 **VI. APPROVAL OF THE MINUTES OF THE FEBRUARY 23, 2010 MEETING**

14 **Motion to approve the Minutes of the February 23, 2010 made by Vice Chair Frank,**  
15 **seconded by Member Goldstein. On voice vote, the motion carried unanimously.**  
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17 **VII. COMMUNICATIONS FROM SHORE PROTECTION BOARD MEMBERS**

18 Member Lindsay Buck commented on:

- 19 • The recent beach clean-up with the Surfrider Foundation and the Town.
- 20 • The beach visit to Reaches 7 and 8 with County Commissioner Priscilla Taylor, Council  
21 President Pro Tem Coniglio, Bobbi Horowitz, a south end resident, and Jimmy Ryan  
22 from the Citizens Association and the discussion held regarding South End issues.
- 23 • Phase II expansion of the Sand Transfer Plant: Town Staff, Member Lindsay Buck and  
24 Council President Pro Tem Coniglio met with homeowners who reside at the end of  
25 discharge pipe and the impact to their view. Town Staff was working to come to a  
26 solution.

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28 Chair Ecclestone indicated that education was important and that there should be a defined  
29 program of presenting the project to the residents. Public Works Director Paul Brazil stated that  
30 the consultant and the Town Staff met and are looking at alternatives due to the feedback  
31 received. They are attempting to minimize the impact and how they should present that to the  
32 public and make an option more palatable. He will bring back an update to the Shore Protection  
33 Board at a future meeting.

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35 Member Goldstein asked for updates on:

- 36 • Singer Island Breakwater Project
- 37 • Juno Beach mitigation project (in Riviera Beach) and how it was affecting the  
38 North/South flow of sand.

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40 Public Works Director Brazil provided the status on both projects. He stated that the DEP  
41 (Department of Environmental Protection) has provided a notice of violation to the County on  
42 the Juno mitigation project. Town staff is monitoring the back and forth correspondence  
43 between the County and FDEP. The Singer Island Breakwater project may not get permitted.

Once the regulatory agencies issue a notice of intent, all stakeholders will then have the opportunity to legally challenge the permit issuance. Town Manager Elwell added that if the project should in fact, get permitted, that would be good for the Town since it would make it easier for the Town to construct a similar project in Reach 8.

Vice Chair Frank discussed the:

- Surfriders website. He mentioned a statement they made indicating they are opposed to any structures against the coastline. Any time a project would be recommended, Surfriders have indicated that it would be protested. He feels there needed to be a better relationship.
- Stressed that the Shore Protection Board needs to have a Plan B for structures due to environmental opposition.
- The Town should be more aggressive in the search for access points to bring sand in.

Member Cooper had no comments.

Chair Ecclestone made inquiries on:

- The Reach 4/7/8 dune project and what the delay was. Public Works Director Brazil stated that the permit applications have been submitted and provided a status update on the project.
- Budget Process. Town Manager Elwell described the policy making of beach projects and how the Town Budget process is done and when the Shore Protection Board would need to submit their recommendations for funding. He announced the April 6, 2010 Special Town Council meeting and invited the Shore Protection Board to attend.

Council Member Bill Diamond, speaking for himself, indicated there is a moral obligation to get a permit and have the money for it once it was issued. Shore Protection would be an issue as long as there is a Palm Beach.

Vice Chair Frank mentioned Reaches 7 and 8, and Structures. Studies were being conducted and wondered why other parts of the country have the same shoreline issues, but not as much opposition. He urged the Board to continue to move forward and find alternatives. His personal opinion was that money should be put aside for beach projects and should be a budget line item on the tax rolls, as it was up north. There should be a beach nourishment fund.

#### VIII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

Robert Davidow, 2100 S. Ocean Blvd., had questions regarding the sand survey report that was presented last month. He noted from his personal observations that the sand can fluctuate as much as three to four feet in any given day. Chair Ecclestone indicated that staff takes monthly photos to monitor the shoreline and compare that month-to-month and year-to-year. They shoot from the same location and same time each month. They are not presented as exact measurements, according to Public Works Director Brazil. Town Manager Elwell described that what Public Works Director Brazil was describing was related to the monthly coastal update. What Mr. Davidow was referring to was the sand budget which was presented last month where there were engineering surveys conducted that outlined how the sand has moved from one reach

into another. The importance of the bathometric surveying was that it went out so far into the ocean that the variations showed the movement of sand beyond the dry beach.

IX. INTRODUCTION TO REACH 7 STRUCTURES STUDY [Ed Hodgens, P.E., Senior Coastal Engineer, Taylor Engineering, Inc.]

Public Works Director Brazil stated that the purpose of study was to look at the very wide range of alternatives. He introduced Mr. Ed Hodgens, P.E., from Taylor Engineering and noted that next month he will come back with a more defined project and Draft report.

Mr. Hodgens provided a Power Point presentation on the Reach 7 structures analysis. A copy was provided for the record. He outlined a Five Phase Study Approach which included:

- Basic Feasibility and Alternative Analysis
- Detailed Modeling and Design
- Permitting
- Plans and Specifications
- Construction Management

Chair Ecclestone asked the cost of the study. He asked about the other phases and what that cost would be. They did not consider administrative or environmentalists objections in the study. Mr. Hodgens stated that the GENESIS model and use of former data was helpful but they have not submitted a proposal for the other phases.

Member Lindsay Buck asked about the use of alternative structures that do not fit into a classic breakwater, or classic submerged that are accepted by environmentalists. She asked if they were looking at those alternatives such as sand bag structures. At this phase, Mr. Hodgens stated they were not looking at that level of detail. The construction of the structure was irrelevant to the model.

Member Cooper asked the height of structures and if they stuck out of the water. Mr. Hodgens responded that typically in ten feet of water depth, there would be seven feet of structure and three feet of freeboard. Chair Ecclestone asked again what the schedule was. Public Works Director Brazil responded that next month there will be some preliminary alternatives with associated costs and permitting issues presented as a draft report from Taylor Engineering. At that point, the Shore Protection Board would make a decision on how to proceed.

Member Cooper asked if "temporary" structures had ever been used or considered. Public Works Director Brazil responded that he was not aware of any. The major factor would be costs for deployment and removal of such structures as well as the permitting process.

X. FUNDING REQUEST FOR TOWN-WIDE GROIN ANALYSIS [H. Paul Brazil, Director of Public Works]

Public Works Director stated that last month there was a discussion of proceeding with the next step to the town wide groin analysis. Isiminger & Stubbs Engineering conducted and completed a survey of all the groins Town-wide. The Shore Board asked to defer the consideration of taking the next step until this month. The purpose was to create town-wide models as to what to do with the groins.

Staff recommended that the Shore Protection Board provide direction concerning the expenditure of \$193,932 for Coastal Technology Corporation to perform the Town-wide groin analysis as mentioned in the "SBP recommended" item within the SPB report given to the Town Council on November 10, 2009.

Town Manager Elwell provided the context of this year's budget. There was a "disconnect" on budgeting this year because the Shore Board did not have their plan completed until after the FY 2010 budget was passed. For this fiscal year, there were certain high-priorities that there was no funding for.

Chair Ecclestone wanted money for off-shore sand search, groin analysis, and maintenance dredged sand approved now, rather than waiting for the new fiscal year next October. Town Manager Elwell stressed that they not get the impression that nothing would be done in the next 6 months. The Board had a very specific question about three items for the 2010 plan. The question was whether to fund from Town Reserves this year and pay it back next year. This year was an aberration, But this may be a more controversial item for the public and Town Council now than if it were a part of the normal budget process. Chair Ecclestone still wanted the special appropriation request for the money now. Member Goldstein agreed.

Member Lindsay Buck asked to discuss this item with the budget and wanted to have a broader discussion. Town Manager Elwell indicated they could skip over this item and discuss the full budget first.

Member Cooper asked a procedural question about the structural analysis. After the analysis there will be a plan presented for a town-wide implementation. Public Works Director Brazil indicated the money voted on today would provide the plan.

Member Cooper was sympathetic to Chair Ecclestone's point about waiting until October for funds and then the study/analysis would take two months, and then keep waiting because of a construction period and turtle season. Town Manager Elwell said they should be fully informed and cautioned them to not expect that if they fund it now, they will have work done next winter. The permitting process could take years.

Chair Ecclestone reiterated that he knew what he wanted and was adamant that they should vote to get the money now and get started.

*The next item heard was Item XIII.*

*After the budget discussion, the Board returned to this item.*

Before voting, Member Lindsay Buck asked for the caveat that the groin analysis would consider the impact to the pipe extension of the Phase II Sand transfer Plant.

**Motion by Member Goldstein and seconded by Member Lindsay Buck to approve an expenditure of \$193,932 for Coastal Technology Corporation to perform the Town-wide Groin Analysis from the Town Reserves in the form of a budget amendment for FY 2010 to immediately enter into a contract. On voice vote, the motion carried unanimously.**

XI. SHORELINE CONDITION ASSESSMENT [Robert Weber, Coastal Coordinator]

*This Item was heard after Item XIII.*

Public Works Director Brazil indicated that this was the monthly photo update which was provided in their back-up packets. He noted that the Sand Transfer Plant was working as expected. Chair Ecclestone declared that the beaches were in good condition and moved onto the next item.

XII. COASTAL PROJECTS UPDATE [Robert Weber, Coastal Coordinator]

Public Works Director Brazil outlined the projects that were provided in the back-up packet as well as the Shore Protection Board's Fiscal Year 2010 Priorities, and the Town's existing permit required monitoring efforts.

There was more detailed discussion on the Sand Transfer Plant and the tri-party dredging project at the Port. It was the consensus of the Board to keep moving forward with the dredging process, even if the Port could not financially contribute.

XIII. FY 2011 COASTAL BUDGET [H. Paul Brazil, Director of Public Works]

*This item was heard after Item X.*

The Shore Protection Board went through the Budget line by line and discussed and proposed changes.

There was discussion about having a fund set aside strictly for shore items. In response to a question from Council Member Diamond, Town Manager Elwell indicated that it would require an approximate tax increase of ten percent to the residents.

Chair Ecclestone stated that in the future there will be a need for \$8-10 million per year for shore projects. He felt the Town should take the hit initially and then balance it out over time. Vice Chair Frank did not believe that any resident would allow their beaches to erode in lieu of a ten percent tax increase.

Member Lindsay Buck liked Chair Ecclestone's idea of having a fund bucket for monies set aside each year. Town Manager Elwell said that there were two issues before them: What body of

work was to be done and what it would cost, and what was the smartest way to pay for it on a year by year basis.

*Chair Ecclestone left the dais at 11:34 a.m. and returned at 11:39 a.m.*

**Motion made by Member Goldstein to indicate that the Shore Protection Board would hold a special meeting on Monday, April 5, 2010 at 9:00 a.m. in order to consider a proposal that Public Works will obtain regarding the town-wide sand search study so that they can decide on the magnitude of the request to Town Council for a budget amendment to allow that work to begin before October 1, 2010. Seconded by Member Lindsay Buck. On voice vote, the motion carried unanimously.**

Town Manager Elwell summarized the changes that would be made to the proposed budget prior to the next meeting:

- Increase line 4 from \$200,000 to \$500,000
- Move lines 46, 49 and 50 figures in 2012 to 2013
- Eliminate line 22 and replace with line 22a to recommend to the Town Council to collect a level amount each year of money in the budget.

#### XIV. FUTURE MEETINGS [Peter B. Elwell, Town Manager]

##### A. Upcoming Topics

- 1) The Reach 7 Structures Study Final Report (April 2010)
- 2) Jocelyn Karazsia, National Marine Fisheries Service (May 2010)
- 3) Grant Funding Overview

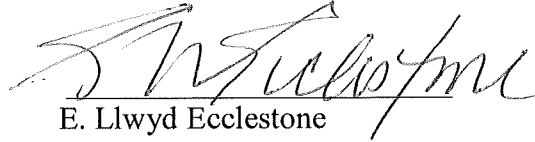
##### B. Re-schedule November 2010 Meeting Date

Town Manager Elwell indicated that there was a scheduling conflict with the November meeting. After discussion, it was the consensus of the Shore Protection Board to hold the previously scheduled November meeting on December 6, 2010, at 9:00 a.m.

#### XV. ADJOURNMENT

1 There being no further business to discuss, the Shore Protection Board meeting of Friday, March  
2 19, 2010, was adjourned at 12:49 p.m.  
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4 APPROVED:  
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E. Llwyd Ecclestone  
Chairman

Agenda Back Up

Shoreline Ground Photography 031910

Reach 7 Status Report