

SPECIAL CITY COUNCIL

5:00 p.m., Thursday, December 11, 2014

1. Mayor Cronin called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act. Attending the meeting were Councilmembers Bettelli, Buckhannon, Carroll, Ferencz, Harrington, Loftus and Ward and Mayor Cronin, as were City Administrator Tucker, Attorney Halversen, Assistant City Administrator Dziuban and Clerk Copeland; the absence of Councilmember Bergwerf was excused. A quorum was present to conduct business.

2. Purpose

Consideration of Change Order to R.B. Baker, a Division of Reeves, relative to the Shoal Management Contract

Mayor Cronin explained that this meeting was called to avoid losing time or stepping down the work on the renourishment project and possibly saving the City money. The key element of the modification of the contract with Baker is to move the harvest area to the shoal, which will provide more sand. This move could allow the project to move the permitted total of two hundred fifty thousand cubic yards (250,000 cu. yd.) of sand.

Steven Traynum and Luke Finnaker of Coastal Science and Engineering (CSE) explained that the data along the bottom of the map was water levels, directions to the site, coordinate controls, and the volumes of sand to be taken from each borrow site.

Councilmember Carroll asked whether the material to be covered in the Executive Session would have any impact on the vote for this change order.

Administrator Tucker stated that she did not want Council to hear the Executive Session and to indicate that having the information before a vote would have influenced their decision; she suggested that she and Mr. Traynum present the open session information before the Executive Session. Council could delay the motion and action until after the Executive Session.

The Administrator asked Mr. Traynum to review the project as it was originally conceived, what the City is trying to do now and why it could not have been done before now.

After the 2008 project, the City knew that, as part of the Beach Management Plan, it wanted to have the ability to manage the section of beach that is impacted by the inlet, i.e. 53rd Avenue to where the shoreline moves into Dewees Inlet. A plan to do that was included in the Beach Management Plan as one (1) of the two (2) primary options for managing the beach; first was off-shore sand renourishment projects and the second was shoal manipulation which included managing the beach and the condition of the beach in that dynamic area. From the beginning, the source of sand coming to the island caused the long-term accretions as shoals come off the Inlet and slowly attach to the beach and spread out.

In 2010, the City realized that the area around Ocean Club was a hot-spot, and CSE began the permit process to allow for the manipulation of the sand along this stretch of shoreline. The permit allowed for the removal or placement of sand anywhere from 53rd Avenue and the groin near the 17th tee of the Ocean Course.

Having studied the historical changes of the beach and found that the shoals come ashore at different locations, CSE was not able to say that one (1) area was always going to be the borrow area and another area was always going to need sand. The City and CSE wanted the flexibility on time and space to look at a situation and work with the shoals as they come ashore. The ideal situation would be to have enough sand everywhere so that as soon as a shoal started to attach to the beach; if there was an erosional area, contractors could get onto the shoal and take that sand to renourish the problem area – basically doing nature's work for it.

According to Mr. Traynum, the situation for this project was that the shoal was not, and has not, yet attached to the beach. When CSE started this project, the contractor indicated that he was not comfortable getting his equipment onto the shoal, so the City wanted to do the project as they had in 2012 that dealt with a smaller event, i.e. take sand from the beach to the erosional area at Ocean Club.

The difference between the 2012 project and this one are that the erosion at Ocean Club is more severe, as is the erosion at Beachwood East and Dunescrest Lane and eventually down to Grand Pavilion. The erosional areas on the beach were worse than they were in 2012 and required a much larger project in order to restore the sand deficits in those areas. Mr. Traynum explained that the permit only allowed for work during the winter months, so there must be enough sand in front of those properties at the end of the winter to last throughout the summer.

The present configuration of the shoal is causing the erosion in the affected areas; the problem is not the lack of sand. The presence of the shoal has changed the wave problems leading to the erosion.

The 2012 project moved approximately ninety thousand (90,000) cubic yards of sand, and the sand did not last through the summer. Eventually, Ocean Club had to place sand bags because, between 2012 and 2013, there was no sand to borrow; the 2012 project allowed for sand to be taken from the back side of a shoal that had already attached.

In 2013, there was still no sand to borrow, but a shoal had formed that would eventually attach, but the timing was impossible to predict; based on the rate, the City and CSE anticipated a project in late 2014 when the shoal was expected to attach.

At present so much sand has built up on the shoal that it was just piling higher and higher on the shoal and making a bigger break-water; as the sand got higher, waves did not overtop it as much and slowed the attachment process. The shoal was attaching quickly until the sand started to build up behind it, slowing down the leading edge of the shoal. Due to the amount of sand building up on the shoal, the project could borrow from there; since the beginning of the project, the contractor has become confident that the equipment can safely get to and from the shoal.

Mr. Traynum explained that the reason for using the two (2) borrow sites was the need for a much larger project due to the two (2) erosional areas; CSE surveyed and calculated the amount of sand on the beach in areas similar to those borrowed from for the 2012 project. The

areas of the beach to be used were near Property Owners Beach House, Beach Club Villas, Mariners Walk and the condominiums; there was approximately eighty thousand (80,000) cubic yards of sand on the beach in September 2014 in those areas. This quantity was insufficient to restore the sand

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bags and the sand deficits at both locations; therefore, more sand had to be located. The permit allows the City to borrow sand from an area of the beach that is healthy and is expected to remain healthy; the beach from 53rd to 56th Avenues was deemed to match that criteria. Sand from this area was placed in the Beachwood East location with the knowledge that the sand would eventually migrate back down to the borrow site. Mr. Traynum reported that the available sand between 53rd and 56th Avenues has been harvested and placed at Beachwood East. Available sand remains nearer 53rd Avenue, but the contractor has tried to minimize the removal of additional sand from there.

The erosion problem exists because of the shoal off-shore changing the wave patterns. Modifying the contract for the contractor to harvest sand from the shoal would solve the sand deficit problem because the sand is being used to renourish the beach and reduce the break-water effect of the shoal. The contract modification would give the contractor permission to go onto the shoal to harvest sand so that it will renourish the beach and reduce the erosion problem.

Mr. Traynum stated that the shoal has a lot of sand and he could not guarantee that anything done in excess of the two hundred fifty thousand (250,000) cubic yards would completely eliminate the erosion through the entire summer.

Mayor Cronin inquired if the contractor intended to build a bridge to the shoal; Mr. Traynum responded that, at low tide, there is a spit of the shoal that has nearly attached itself to the beach just off Mariners Walk. He continued that the contractor would link that spit at a similar elevation to the shoal, building a feature similar to the spit to the beach to get equipment to the shoal.

The Mayor asked if this pathway would affect the hours of operation; he thought the contractor was being limited.

Mr. Traynum agreed that the hours would change, but they were expecting a reduction since they have already harvested the sand that can be harvested at high tide. He expects the contractor to work four to five (4-5) hours a day.

The Mayor also noted that there is a difference in the cost per cubic yard they will need more equipment, have fewer hours to work and have a slightly longer haul distance.

Councilmember Carroll inquired about the distance to the shoal at low tide and was told the distance was about two hundred (200) feet. Additionally, the Councilmember asked how long the sand bridge would last as tides come in and go out.

Mr. Traynum explained that the shoal is trying to create a pond and trying to make that connection for it; by building that connection for the shoal, they would not be constructing

something that the waves would contradict. He agreed that it would have to be maintained, but it would not disappear because there is not a channel running through it.

The bridge would be on the north end of the shoal. By taking sand from the shoal, the height would be lowered allowing the waves to push more sand on shore.

Mayor Cronin inquired whether this change order would mean that the contractor will work as long as necessary to get the additional one hundred twenty-five thousand (125,000) cubic yards. Mr.

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Traynhan was confident that the quantity of sand is available on the shoal, but, if for some reason that is not the case, the contractor will return for a small mobilization for early 2015. Mr. Traynum commented that the second mobilization was in the contract because CSE thought the contractor would have two (2) crews on the worksite.

Based on the way the project is holding up, Mr. Traynum stated that, until the project has been completed, he was not optimistic that it would be safe to say that the project can be left for a month without maintenance. That is another reason for taking sand from the shoal to reduce the erosion it is causing.

Councilmember Ward asked to review the costs for this project and where the funds came from to do the project.

Administrator Tucker referred to the project schedule and reported that the City contributed two hundred thousand dollars (\$200,000) toward the project in the FY15 budget. The private stakeholders that contributed were Lowe Wild Dune Investors, the Wild Dunes Community Association, each of the condos affected going down the beach from Ocean Club, and the individual homeowners at Beach Club, Beachwood East and Dunecrest that affront the beach. The funding breakdown was as follows:

Residual from the 2008 Project	\$664,054
FY15 City Contribution	200,000
Private Contributions	423,074
Interest Earned	29

The City's contribution came from accommodations taxes; no property tax dollars were expended for the project.

Responding to Councilmember Ward, the Administrator noted that the remaining balance after this project has been completed would be fifty-two thousand one hundred fourteen dollars (\$52,114); the net effect of the change order, if approved, would be one hundred thirty-two thousand dollars (\$132,000). The original amount budgeted for the project was one million two hundred sixty-five thousand dollars (\$1,265,000).

Councilmember Ward noted that the project is under-budget.

Mayor Cronin asked whether the counters would continue to be needed, and the Administrator said that they would. According to the Administrator, truck counting is being handled by City

employees, whose time is charged to the project. The City's counts are reconciled to the contractor's counts to verify the volume of sand moved.

Councilmember Ferencz inquired about why the City started the project before the shoal was close enough to use it. Mr. Traynum answered that the condition of the beach determined the start date; the beach could not wait much longer to get added quantities of sand.

Responding to Councilmember Ferencz, Mr. Traynum reported that approximately seventy (70) cubic feet of sand has been moved into the erosion area, but much more is needed.

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Councilmember Carroll said that he wanted the stakeholders to be present because he was concerned that the sand he saw on November 29th had disappeared; he is concerned about how long the project will last. He commented that, when the City is out of money, it is out of money, and will have to go back to the stakeholders.

Mr. Traynum reported that Ocean Club anticipates quick erosion and has begun to get its emergency measures lined up in case that happens. He reiterated that the shoal is exacerbating the focused erosion so the plan is to get the shoal closer to shore and to push the sand off the shoal will help to reduce that effect.

Mayor Cronin stated that the island will always experience erosion; that has been the history of the island forever.

When Councilmember Loftus asked where the sand would be taken from the shoal, and he was told that the sand would be taken from the side closest to the ocean. Mr. Traynum stated that, when this project has been completed and has been able to get the full amount from the shoal, if there is still sand and money available, it would make sense to move more sand off the shoal.

Councilmember Buckhannon asked from where the sand would come to build the bridge, and Mr. Traynum said behind the shoal would be used for an initial build, but they will use sand from the shoal to maintain the bridge.

Councilmember Buckhannon asked what percentage of the sand moved has come from the area between 53rd and 56th Avenues; having not recorded the amount moved in the last two (2) days, he speculated that the amount is approximately thirty thousand (30,000) cubic yards, but is probably thirty-five to thirty-six thousand (35,000-36,000) cubic yards now.

Councilmember Ferencz asked why the bridge was not constructed when the project began; Mr. Traynum stated that the contractor did not want to do it in the beginning due to concerns about the equipment; he noted that, since the project started, the size and elevation of the shoal have increased.

Councilmember Carroll asked how the bridge would affect the beach to the south; Mr. Traynum answered that the bridge would affect the beach below shoal; the bridge cannot be compared to a groin because a groin traps sand that is moving along the shore.

Councilmember Carroll asked how much work time would be necessary to maintain the bridge when the work day will be shortened anyway. Mr. Traynum stated that he thought the maintenance time would be minimal.

3. Executive Session to receive legal advice for a potential claim related to the Shoal Management Project

MOTION: Councilmember Carroll moved go into Executive Session for the reason stated above at 5:40 p.m.; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.

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Council returned to regular session at 6:05 p.m. with Mayor Cronin announcing that no decision and no vote had been taken while in Executive Session.

Motion: Councilmember Harrington moved to approve the Change Order for R.B. Baker, a Division of Reeves; Councilmember Carroll seconded and the motion PASSED on a vote of 7 to 1, with Councilmember Ferencz casting the nay vote.

4. Adjourn

MOTION: Mayor Cronin moved to adjourn the meeting at 6:08 p.m.; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk