

**REAL PROPERTY COMMITTEE**  
5:30 p.m., Thursday, February 7, 2013

The regular meeting of the Real Property Committee was held at 5:30 p.m. on Thursday, February 7, 2013 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Buckhannon and Loftus, Chair Stone, Administrator Tucker, Assistant to the Administrator Dziuban and City Clerk Copeland; a quorum was present to conduct business.

1. Chair Stone called the meeting to order and acknowledged that the press and public had been duly notified of the meeting in accordance with the Freedom of Information Act.

**2. Approval of Previous Meeting's Minutes**

**MOTION: Councilmember Loftus moved to approve the minutes of the regular meeting of January 10, 2013 as submitted; Councilmember Buckhannon seconded and the motion PASSED UNANIMOUSLY.**

**MOTION: Chair Stone moved to re-order the agenda to address items related to beach monitoring to this juncture in the meeting; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.**

**5.A. Old Business – Presentation of Monitoring Results and Status of Permit Modification and Comment Period – Steven Traynum, CSE**

**6.B. New Business – Consideration of Contracts in Excess of \$10,000  
CSE Change Order for Special Beach Monitoring of Breach Inlet, \$12,500**

Steven Traynum of Coastal Science and Engineering (CSE) attended the meeting to present the results of the July 2012 beach monitoring; he stated that, since Hurricane Sandy came through after the monitoring, the conditions of the beach are different today from what is being reported. To re-orient the Committee to the reaches on the island, he explained that Reach 1 is Breach Inlet, Reaches 2, 3 and 4 are the central part of the island, and Reaches 5, 6 and 7 are the 2008 project area to Dewees Island. The east end of the island in the area of Ocean Club is experiencing some focused erosion as a result of a gap in the shoal; in July this shoal was twelve hundred feet (1,200 ft.) from the shore. The July monitoring results are as follows:

- Reach 7 has gained just over four thousand cubic yards (4,000 cy) of sand from June 2011 to July 2012, which is ninety thousand cubic yards (90,000 cy) greater than the pre-nourishment project in 2008;
- Reach 6 begins at the Property Owners' Beach House in Wild Dunes to the inlet and has lost sixty-five thousand cubic yards (65,000 cy) between June 2011 and July 2012, but the area has four hundred thousand cubic yards (400,000 cy) compared to the pre-nourishment project in 2008;
- Reach 5 between 53<sup>rd</sup> Avenue and the Beach House has less volume than before the project, but the erosion contributing to the net loss is east of Beechwood East; overall the area lost one hundred fifty-five thousand cubic yards (155,000 cy) of sand between June 2011 and July 2012.

- Summarizing the situation between 53<sup>rd</sup> Avenue and the Cedar Creek spit, Mr. Traynum stated that the area has lost five hundred forty thousand cubic yards (540,000 cy) of sand, but the area has four hundred fifty-six thousand cubic yards (456,000 cy) more sand than before the project. Fifty-seven percent (57%) of the nourishment volume remains on the beach.

Next in his presentation was a graphic of the shoal that is causing the problems, but will likely be the borrow source for the next big renourishment project; since last year it has moved landward approximately six hundred feet (600 ft.) and has increased in elevation. Mr. Traynum pointed out that the beach behind the shoal is stable and accreting despite having taken out sand for the 2012 project.

In another graphic, Mr. Traynum noted that the beach between 53<sup>rd</sup> Avenue and almost 31<sup>st</sup> Avenue has gained a lot of sand migrating from the project area, which indicates that the problems at Breach Inlet are not caused by a lack of sand moving down the coast.

Returning to the July monitoring results:

- Reach 4 has gained one hundred four thousand cubic yards (104,000 cy) of sand between June 2011 and July 2012;
- Reach 3 has gained fifty-two thousand cubic yards (52,000) of sand between June 2011 and July 2012;
- Reach 2 has gained fifty thousand cubic yards (50,000 cy) of sand between June 2011 and July 2012;
- At Reach 1 there has been a loss of eighty-six thousand cubic yards (86,000 cy) between June 2011 and July 2012.

Mr. Traynum emphasized that the conditions at Breach Inlet have changed since the monitoring; in July the escarpments were not visible. He stated that the opinion at CSE is that the erosion will heal naturally; they believe it is a cycle going in with the inlet with the development of a marginal flood channel that was not present in 2011. Another factor affecting the inlet is the big shoal bypass event at Sullivan's Island.

Administrator Tucker queried Mr. Traynum that his statement that Breach Inlet would heal naturally was based on the July survey. He added that the statement was also based on the down coast flow of sand that feeds the inlet, but the inlet is re-arranging itself, and, at some point, it will become stable and fix itself. This type of healing has been witnessed before at Breach Inlet, but the timing cannot be predicted.

The Administrator continued with the merit of a special monitoring of Breach Inlet since what has happened from Third Avenue to the Inlet is aberrant from what residents remember and has residents in that area concerned. Administrator Tucker voiced uneasiness that something out of the norm is going on of which the City needs to be mindful.

Mr. Traynum said that CSE would look for the position of the channel to determine if it is migrating landward and if it is getting bigger or deeper; they would also expand the grid to cap-

ture more of the channel to determine in what direction the channel is going. Without the data, CSE cannot provide an estimate on how fast things are progressing or if it is fixing itself.

Summarizing the monitoring report, Mr. Traynum stated that the total sand loss in the June 2011 and July 2012 was one hundred thousand cubic yards (100,000 cy) with a couple of small pockets that are eroding rapidly. Fifty-seven percent (57%) of the design volume is still within the fill zones of the 2008 project.

As to the status of the permit modifications for more events with no increase in volume, Mr. Traynum reported that the application was submitted just before Christmas and went out for public comment from the Corps of Engineers on January 16, 2013 with the comment period ending on February 15<sup>th</sup>. OCRM issued their public notice on January 25, 2013 and the period ends February 9<sup>th</sup>. At meeting time, the Corps reports having received one (1) comment regarding the safety of the trucks on the beach; OCRM has not received any specific comments. None of the resource agencies have responded.

Administrator Tucker recalled dialogue with Mr. Traynum that the City might do a small interim project to prevent a crisis at Ocean Club and a much larger project, if necessary, before the permit expires.

Councilmember Loftus sought confirmation in his understanding of the graphs that the sand moved in the 2012 project is nearly gone due to Hurricane Sandy; Mr. Traynum confirmed that the sand from the fill area is gone.

Responding to the Administrator's question, Mr. Traynum indicated that the next scheduled, full monitoring will take place in late June or early July 2013; that survey will also serve as the one (1) year post-project survey required by the permit for the 2012 project.

Administrator Tucker recalled that CSE thought that the City might need to do a small interim project in the spring or fall of 2013; Mr. Traynum indicated that the timing was not an issue for him, but he noted that sand trucked in costs twenty dollars (\$20.00) per cubic yard while sand moved on the beach costs two dollars fifty cents (\$2.50) per cubic yard. He stated that the sand would stay in place longer if done in the summer because the waves are smaller than in winter.

On the issue of timing, Councilmember Loftus thought having a project after hurricane season was more reasonable than before the season; Mr. Traynum explained that the added beach serves as protection for the hurricane season. Mr. Traynum added that ideally the City should hold off on a project for as long as is possible while the beach remains functional, and his opinion is that the City is close to that point now.

Chair Stone asked how to determine whether the City is at that point without an on-site inspection. Mr. Traynum responded that the City has reached the trigger; therefore, under regulations, the City is able to do a project. The problem at this moment is that the permit only allows for one (1) project, not two (2); therefore, the City is waiting for the modifications to be allowed. If the City cannot do two (2) projects, CSE's advice is to get through the winter in anti-cipation of the shoal attaching, or at a minimum, gets closer to shore.

Councilmember Buckhannon asked the date on which work must cease and was told May 1, the beginning of turtle nesting season.

As for the length of a project, Mr. Traynum indicated that a project of a scope like the 2012 project could be done now and would take about a month. He said that there was also the possibility of utilizing more equipment which would speed up the process.

Administrator Tucker remarked that, if the City has to move forward with another project before the next monitoring, the City would like to change order the existing contract with Baker Infrastructure to be able to move forward under the permit.

Chair Stone asked what the funding source for another project would be; the Administrator said the City would use the remaining balance from the 2008 beach restoration project.

Administrator Tucker noted that the City also needed advice from Mr. Traynum about whether or not the City should do an interim special monitoring of Breach Inlet to determine if something aberrant happening; CSE has proposed a fee of twelve thousand five hundred dollars (\$12,500) for the monitoring. The monitoring will consist of one (1) day on the beach and one (1) day on a boat in the Inlet, and the expense would be paid as unbudgeted from the Beach Maintenance Fund.

The Administrator explained that this topic is before the Committee because property owners in that area have come to the City, and one (1) owner appears to be moving forward with hauling sand and placing it landward of their property line and OCRM jurisdiction.

Responding to Councilmember Buckhannon's request for an opinion about the prospects for the Breach Inlet area, Mr. Traynum stated that the history of the area is accretion, and, with an inlet, it is never going to be a permanent change. He did note that more uncertainty exists with a large scale event as to how long it will take to heal, but CSE is confident that it will over time.

Councilmember Buckhannon then reviewed the time frame where the funding would be approved for an interim monitoring as the end of the month; he asked how long it would take for CSE to perform the survey and get the results back to the City for it to make a decision. Since the CSE boat will be two to three (2-3) weeks to return from New York, they would not be in a position to do the work for several weeks. In addition, Mr. Traynum said that a project at Breach Inlet would require a new permit. Mr. Traynum noted that he could not guarantee that the monitoring would provide the City with a useful tool to fix the situation quickly.

Administrator Tucker stated that the City had requested the estimate from CSE in an effort to be equally responsive to all residents of the island.

Councilmember Loftus expressed confidence that Breach Inlet would heal itself; it has historically been one of the most stable areas of the island's beach.

Chair Stone agreed and indicated that the Committee would not take any action at this time.

#### 4. Comments from Marina Tenants

Consideration of Boating Infrastructure Grant Program – Brian Berrigan and John Schaffer of Ocean and Coastal Consultants

Mr. Berrigan introduced Scott Meister of the South Carolina Department of Natural Resources and John Shaffer of Ocean and Coastal Consultants, Inc. as he distributed short biographies to Committee members. Both gentlemen made presentations to the Committee which are attached to the historical record of the meeting.

Mr. Meister is the Director of the Boating Infrastructure Grant (BIG) Program for the state of South Carolina; his presentation gave the Committee an overview of the program. The purpose of the program is to provide funding for the development and maintenance of boating infrastructure facilities for transient, non-trailerable, recreational vehicles; the grant requires a match of no less than twenty-five percent (25%). Those eligible for the grant are (1) both public and private facilities located in South Carolina, (2) must meet all federal regulation and (3) must be registered in the South Carolina Procurement System. Two (2) types of BIG grants exist; they are:

- Tier I for projects not to exceed one hundred thousand dollars (\$100,000) and competition is against other South Carolina projects; and
- Tier II with no dollar limits for projects and competition is against all other projects nationwide.

A key change to the BIG program is that income generated from funded improvements after the grant period may be used by the recipient the same as any other revenue generated by the facility; in the past, all revenue generated by grant funded improvements went back to the grant. The grant period is defined as the time between the effective date of the award and the ending date of the award.

Mr. Meister informed the Committee that he will be holding informational workshops the first couple of weeks in March; completed applications are due by July 1, 2013 with grant awards coming in March 2014.

Mr. Shaffer has been involved in various phases of several BIG grant projects in and around the Charleston area. He started his presentation by referencing the Marina Conceptual Plan and then pointed to the areas of that plan that could benefit from a BIG grant; the eligible components are as follows:

- soft costs, which include surveys, permitting, engineering and design, bidding and construction administration,
- transient floating dock,
- fixed dock,
- fuel system
- utilities, such as potable water and shore power, and
- floating restrooms.

Mr. Shaffer indicated that strengths to be included in an IOP marina BIG application are that a conceptual plan is in place; the location is along the Intercoastal Waterway near historic, cultural and natural areas; that the marina provides a safe harbor from a storm; there are multiple opportunities for public and/or private partnerships, and the positive economic impact on the community.

Areas of the marina master plan that would be eligible for funding under the BIG program are significant portions of the transient dock, the fuel system for that dock, the fixed dock connecting to shore, the utilities and restrooms.

Responding to Chair Stone's query about moving forward, Administrator Tucker recounted that the City had filed for this grant in the past and had bailed when it learned that the revenue generated by the project would go back to the grant; she was pleased to see that area of the grant changed. The Administrator was of the opinion that Council needed to decide whether it is ready to tackle some areas of the marina master plan, putting up a forty percent (40%) match, because this funding may be available. If Council were to go forward, it must then identify what areas of the plan were going to be included and on what schedule.

The Chair then asked Mr. Berrigan if he had a priority list to present to the Committee; Mr. Berrigan said he had been most intent upon getting the information on the grant before the Committee for consideration.

Councilmember Buckhannon noted that the money was already earmarked for the design and permitting for the reconfiguration of the docks at the marina; therefore, he thought the possibilities offered by the grant presented a "win-win" situation for the City.

Mr. Shaffer commented that he had worked on a project that was award in 2001, but construction did not start until 2005 – the grant was extended while the permits and funding were acquired. He interpreted that to mean that there is flexibility in the implementation schedule.

In the Administrator's opinion, the next step will be for Mr. Berrigan to prepare a list of what items would to be replaced with approximate costs and the percentage of that cost that would be eligible for the grant to present to Council.

The Chair asked that Mr. Berrigan have the list of things to be included in the grant with associated costs for the March committee meeting.

## **5. Old Business**

### **B. Consideration of Extended Hours for Municipal Lots**

Administrator Tucker noted that the lease for the municipal lots was to be executed in the next day or so, and an alternate for that contract had been extended hours for the lots; therefore, she needed to know whether to exercise the alternate. The Administrator indicated that she had spoken with Chief Buckhannon and that having the Beach Service Officers continue enforcement of the meters until 8:00 p.m. would not be a problem.

Councilmember Loftus said that he liked the idea of more revenue, but he thought that extending the hours would generate a pushback from residents.

After further discussion, the Committee decided not to exercise the alternate.

**6. New Business**

**A. Review of Long-Range Capital Plan and Capital Budget for FY14**

For the Front Beach area including the restrooms, meters and parking lots, no capital expenditures were scheduled for FY14; the same is true of the Breach Inlet boat ramp.

Beach Restoration and Monitoring

Potential focused erosion project for FY14	\$600,000
Post-project surveys and monitoring, 2012 Shoal Mgmt. project	23,261
Re-budget from FY13	
Ongoing monitoring of shoreline	49,646
(FY14 is Year 2 of 3-year contract = \$160,702)	

Assign Fund Balance for Future Expenditures

Major beach restoration project (2008 Project area)	100,000
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The goal for another major beach renourishment project is two million dollars (\$2,000,000) which equals the amount the City contributed toward the 2008 project.

As attention turned to the marina capital budget, Administrator Tucker informed the Committee members that today the figure in line 308 for FY16, the replacement of the four (4) underground fuel tanks, has been refined down to three hundred thousand dollars (\$300,000). The Administrator suggested this expense and the expense from line 304 for the store canopy, store and dock fuel dispensers and hoses could be reduced in part by the Boating Infrastructure Grant.

Chair Stone asked if the tanks were being replaced because they had reached the end of their useful life; Administrator Tucker replied that they were being replaced due to new regulations regarding underground fuel tanks within a given distance of a body of water.

Isle of Palms Marina

Replace ice machine in store	6,000
Replace non-functioning store walk-in freezer	10,000
Replace HVAC in store	25,000
Replace store Point-of-sale cash receipts system	30,000
Replace store coolers	90,000
Replace store canopy, store & dock fuel dispensers and hoses	150,000

Special Projects

Design & permitting of new watersports/waverunner dock Re-budget if not completed	25,000
Construction of new watersports/waverunner dock	150,000
Design & permitting for new docks (permit process takes up to 1 yr.) The reconfiguration of the docks.	50,000

The cost of the dock construction is contemplated for FY15, and a portion of those costs could also be included in the grant application.

Councilmember Loftus asked that the one hundred fifty thousand dollars (\$150,000) for the store canopy, store and dock fuel dispensers and hoses be detailed for the next budget presentation.

**7. Miscellaneous Business**

**A. Status of City Property – Parking Lot Maintenance**

Assistant Dziuban reported that this item had also been on the agenda for the Public Works Committee; she stated that the focus now is the City Hall parking lot and that any changes to the Public Works and old building department sites were on hold due to SCE&G's work and the new information that the Public Works site may be out of compliance with stormwater regulations. The work proposed is resurfacing, restriping, new parking stops, coming into ADA compliance with two (2) handicapped spaces and a piece of sidewalk to make them accessible. The Public Works Committee did not approve the proposed ingress/egress on Oak Harbor, which require an SCDOT encroachment permit, but did approve the other work. Because City property falls under the purview of this Committee, staff is seeking confirmation to move forward with the plan.

**MOTION: Councilmember Buckhannon moved to approve the plans to resurface, restripe, replace parking stops and gain ADA compliance; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.**

**B. Marina Rents Report**

Administrator Tucker reported that Morgan Creek was behind on the January rent and on the tenth of the month would owe February's rent; all other tenants are current. After brief discussion, Councilmember Loftus asked for an update at the Ways and Means Committee meeting later in the month.

**Next Meeting Date: 5:30 p.m., Wednesday, March 6, 2013 in the Conference Room.**

**8. Executive Session – not needed**

**9. Adjourn**



**MOTION: Councilmember Buckhannon moved to adjourn the meeting at 7:33 p.m.; Chair Stone seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland, City Clerk