

BEACH AND SHORE PRESERVATION ADVISORY COMMITTEE

The Indian River County (IRC) Beach and Shore Preservation Advisory Committee (Beach) met at 3:00 p.m. on Monday, March 21, 2011, in the County Administration Building, Building B, 1800 27th Street, Vero Beach, Florida. You may hear an audio of the meeting; review the agenda and the minutes on the IRC website - www.ircgov.com/Boards/BSPC/2011.

Present were Chairman Bob Anderson, David Barney, and Cheryl Gerstner, Board of County Commissioners (BCC) Appointees; Councilmember Coy, Alternate, City of Sebastian Appointee; Councilmember Mike Ochsner, Town of Indian River Shores Appointee; and Councilmember Paul Johnson, Alternate, Town of Orchid Appointee.

Absent was Stephen Krasco, Robert Lindsey, and Bill Glynn, BCC Appointees; Mayor Jim Hill, City of Sebastian Appointee; Councilmember Bill Troxell, Town of Orchid Appointee; Councilmember Brian Heady, City of Vero Beach Appointee; and Councilman Joel Tyson, City of Fellsmere Appointee.

Also present were IRC staff: Commissioner Liaison Peter O'Bryan; Mike Zito, Assistant County Administrator; Alan Polackwich, County Attorney; James Gray, Coastal Engineer; and Terri Collins-Lister, Commissioner Assistant, District 4. Others present were: Marty Smithson, Sebastian Inlet Taxing District (The District); Henry Stephens, Press Journal; Lisa Zahner, Vero News; Sheryl Koenes, Disney's Vero Beach Resort; Steve Smith, Ranch Road Sand Mine; Michael Walther and Tem Fontaine, Coastal Technology; Steve Boehning, Coastal Waterways; and Louise Schmitt, Interested Citizen.

Call to Order

Chairman Anderson called the meeting to order at 3:00 p.m.

Approval of the Minutes of February 21, 2011

**ON MOTION BY Councilmember Ochsner,
SECONDED BY Mr. Barney, the members voted
unanimously (6-0) to approve the minutes of
February 21, 2011 as presented.**

Sector 3 Update

Mr. James Gray, IRC Coastal Engineer recapped and gave a PowerPoint Presentation on the Sector 3 Beach Restoration Project, a copy of which is on file in the Commission Office.

Mr. Gray stated construction for Phase II of the Sector 3 Beach Project began on February 28, 2011. He indicated the contractor, Ranger Construction, was currently using Golden Sands Beach Park for access and delivering sand to the north Windsor area. He mentioned during the first two weeks of construction in Phase II there were significant wave heights, so the contractor, in order to avoid a rapid loss of material out of the construction template, constructed the dune feature. He indicated approximately 2,000 feet of dune was constructed, of which 1,600 feet of the construction template fronting the northern beaches of Windsor had been completed and surveyed.

Mr. Gray stated as of March 18, 2011, approximately 67,500 cubic yards of the 281,000 cubic yards estimated to complete Phase II had been placed on the beach with 30 construction days, not including weekends, remaining to complete Phase II prior to the May 1, 2011 deadline. He noted the contractor must maintain an average daily delivery of approximately 7,117 cubic yards or 395 truck loads to meet the beach fill requirements of Phase II.

Mr. Gray opined the entire Phase II segment as designed would not be completed this season and indicated the contractor had requested a project extension. He continued the permit allowed construction next year; however, a separate notice to proceed would be required for Phase III of the Sector 3 Beach Project.

Mr. Gray stated the contractor estimated a shortfall of 80,000 cubic yards of sand material or approximately 4,500 linear feet of beach would not be completed based on the contractor's estimates of sand volumes. A discussion followed on permits and the additional costs associated with Phase III of the Sector 3 Beach Project.

- Fuel Increase Request

A question was raised regarding the fuel increase request. Mr. Alan Polackwich, IRC County Attorney, stated there was nothing stated in the contract that allowed a fuel adjustment or required the County to approve the fuel increase; however, the Board voted to allow a fuel increase adjustment.

Commissioner Liaison O'Bryan explained in reference to the fuel adjustment increase, the BCC went back to the March, 2010 meeting after the first two change orders and noticed the fuel costs had increase since the beginning of the contract and the contractor had been absorbing those costs. He added since then there had been some unforeseen global effects since the contract had been signed two years ago. He concluded the BCC wanted the Sector 3 Beach Project to move forward and get the entire project completed. A discussion ensued on the calculated fuel cost.

Artificial Reef Update

Mr. Gray stated the County submitted a grant application to Florida Fish and Wildlife Commission (FWC) for \$60,000 to reauthorize the Artificial Reef Program. He stated the area currently identified for the program was 12 miles offshore of the Sebastian Inlet. He added the County was permitted to construct 15 reefs and to date; the County had constructed only eight artificial reefs.

A question was raised concerning the type of material being used for the reefs. Mr. Gray indicated the material for the artificial reef was concrete railroad tiles donated from Florida's East Coast Railroad.

A Review of the Sector 3 Beach Restoration Contract – Mr. Alan Polackwich, IRC County Attorney

Mr. Polackwich reviewed the Sector Beach Restoration Contract and noted the contract was straight forward saying the contractor would perform the Sector 3 Project according to plan and complete by May 1, 2011 or liquated damages of \$2,500 per day and additionally, the contractor would be responsible for any additional expenses incurred administering the contract. Additionally, there was a payment and performance bond, so when he had heard Ranger Construction may not be able to complete the project by May 1, 2011, a letter was sent to the contractor to make it clear the County would not consent or agree to any reduction in their obligations under the agreement, as well as a letter to the Surety regarding the performance bond.

A lengthy discussion ensued on the BCC getting some reassurance from the contractor that they would complete the Sector 3 Project prior to approving a fuel cost adjustment or if the contract was extended to Phase III additional costs be absorbed by contractor.

ON MOTION BY Councilmember Ochsner, SECONDED BY Councilmember Coy, to recommend to the Board of County Commissioners prior to approving the fuel cost adjustment that they get some guarantee or reassurance from the contractor, Ranger Construction, the Sector 3 Beach Project would be completed by April 30, 2011 as stated in the contract.

A lengthy discussion ensued.

Councilmember Coy withdrew her Second. The Motion failed for lack of a Second.

Update from the Sebastian Inlet Taxing District Commission

Mr. Marty Smithson, The District, stated 10,000 cubic yards of sand had been excavated from the Tide Pool and was now opened to the public. He added The District had entered into an agreement with Wilco Construction to rebuild the pier on the south side of the Inlet and was working on the engineering design permit for stabilizing Coconut Point.

Status of County Parks

Mr. Michael Zito, IRC Assistant County Administrator, hoped to have Golden Sands Beach Park reopened within a couple of weeks. He mentioned the County was doing some beautification work at the Tracking Station by putting down sod and replacing the chain link gate with a rail gate.

Committee Members Matters

There was none.

Chairman Matters

There was none.

Commissioner Matters

There was none.

Other Matters

There was none.

Adjournment

There being no further business, the meeting adjourned at 4:27 p.m.