



Legislation Text

File #: 18-471, **Version:** 1

TO: Mayor and Commissioners
FROM: Susan Goebel-Canning, Public Works Director
THROUGH: Mark R. Lauzier, City Manager
DATE: August 21, 2018

APPROVE RESOLUTION NO. 83-18 AUTHORIZING A GRANT AGREEMENT WITH FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION IN THE AMOUNT OF \$299,729 FOR MANAGEMENT OF THE CITY OF DELRAY BEACH'S (CITY) SHORE PROTECTION PROJECT (PROJECT NO.17-081)

Recommended Action:

Motion to approve Resolution No. 83-18 authorizing a Grant Agreement with the Florida Department of Environmental Protection (FDEP) for assistance with funding the City's Shore Protection Project (Project No. 17-018) in amount of \$299,729.

Background:

The City of Delray Beach's (City) Beach Nourishment Program includes the design, permitting, construction and monitoring of approximately 2.6 miles of shoreline. The primary focus of the program is to provide for the protection and enhancement of the beach and coastal resources in accordance with State and Federal permit conditions.

The City holds a Joint Coastal Permit (JCP), Permit No.0303553-001-JC, with the Florida Department of Environmental Protection (FDEP) and the United States Army Corp of Engineers (USACE) for sand nourishment of the beachfront with offshore borrow areas. The City has performed eight beach nourishment projects from 1973 to 2014, with the most recent sand renourishment project completed in 2014 in response to damages from Hurricane Sandy in 2012. The JCP requires the City to perform certain activities, known as "conditions" of the permit. These conditions are specific to the beach nourishment / construction activities, and include marine turtle and manatee protection, monitoring and reporting. The JCP also requires annual post-construction physical beach monitoring studies for three-years following sand nourishment events.

The Delray Beach Shore Protection Program includes annual surveys of conditions both on the beach and offshore, a beach tilling event and marine turtle monitoring. The monitoring data is used to assess, with quantitative measurement, the performance of the beach replenishment projects. The monitoring data provides the City and FDEP information necessary to plan for the next renourishment project, evaluate beach performance and optimize the design of the next beach renourishment project. Other activities performed as a part of the Shore Protection Program, not performed annually, but as required for the beach nourishment construction events include geotechnical reports (sand search) engineering, permitting, construction and construction oversight and testing. The next anticipated beach nourishment event is planned in 2020 and work specific to this renourishment will begin in Fiscal Year 2018/2019. As such, the City's request from FDEP for fiscal year 2018/2019

included funding assistance for the design phase of next nourishment project in addition to the usual beach and marine turtle nesting monitoring funding requests.

Pursuant to Sections 161.091 - 161.161, Florida Statutes, the FDEP provides financial assistance to eligible governmental entities for beach erosion control and inlet management activities under the Florida Beach Management Funding Assistance Program.

Under this grant agreement, the FDEP will provide the City with reimbursement of the Shore Protection Project including surveys of the beach and offshore and design phase for the next nourishment project and post-construction monitoring activities in the amount of \$299,729.

The consulting and survey services proposed herein were programmed on the Capital Improvement Program budget for Fiscal Year 18/19. The funds requested are for physical monitoring services including surveys of the beach and offshore, geotechnical engineering reports (sand search) and preliminary engineering and permitting; and the City receives partial reimbursement from the Federal, State and County government partners as shown in the table below (and based on availability of funding). Note that the State cost share is \$299,729; which is the agreement for approval herein. The Federal cost share / reimbursement is currently an ongoing discussion with new administration at the USACE; however the cost share listed on the table is based on a long standing agreement between the City and USACE.

Year	Project Task	Task Cost	Federal 56.33%	State (Actual)	County 21.835%	City of Delray Beach
2019	Update Geotechnical Information (Sand Search and BA Design)	\$ 650,000.00	\$ 366,145.00	\$ 141,927.00	\$ 141,927.50	\$ 0.50
	Preliminary Engineering & Permitting	\$ 400,000.00	\$ 225,320.00	\$ 87,340.00	\$ 87,340.00	\$ -
	Final Engineering & Permitting	\$ 200,000.00	\$ 112,660.00	\$ 43,670.00		
	Year 5 Physical Monitoring Survey & Report	\$ 78,483.00	\$ 44,209.47	\$ 26,792.00	\$ 7,481.53	\$ -
	Year 5 Turtle Surveys + Comprehensive Turtle Program	\$ 200,000.00	\$ 112,660.00	\$ -	\$ -	\$ 87,340.00
	Year 5 Beach Tilling	\$ 6,500.00	\$ 3,661.45	\$ -	\$ -	\$ 2,838.55
	Total 2017	\$ 1,534,983.00	\$ 864,655.92	\$ 299,729.00	\$ 236,749.03	\$ 90,179.05

City Attorney Review:

Approved as to form and legal sufficiency. Resolution Number 83-18 and the Legal Review Checklist is attached.

Funding Source/Financial Impact:

This City's Shore Protection Project has been in place since 1973 and is approved annually in the Capital Improvement Program (CIP). This grant will reimburse the City for the physical monitoring services including surveys of the beach and offshore, geotechnical engineering reports (sand search)

and preliminary engineering and permitting for Fiscal Year 2018/2019. The approximately 6 percent local match that is typically required for the Beach Program is budgeted annually in the CIP Fund 332 Beach Restoration Fund. This fund is supplemented with a transfer from the General Fund to cover the City's local match contribution for projects such as beach tilling, sea turtle monitoring, travel and training. For FY 2018/19, it is estimated that the City's contribution to these activities will be approximately \$90,180.

Timing of Request:

This item is time sensitive as it provides a reimbursement for services to be received in Fiscal Year 2018/2019.