NOTICE OF MEETING CITY OF SOUTH PADRE ISLAND SHORELINE TASK FORCE

NOTE: One or more members of the City of South Padre Island City Council may attend this meeting; if so, this statement satisfies the requirements of the OPEN MEETINGS ACT.

NOTICE IS HEREBY GIVEN THAT THE SHORELINE TASK FORCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, WILL HOLD A <u>REGULAR</u> MEETING ON:

MONDAY, NOV. 23, 2015

3:00 P.M. AT THE MUNICIPAL BUILDING, CITY COUNCIL CHAMBERS, 2ND FLOOR 4601 PADRE BLVD, SOUTH PADRE ISLAND, TEXAS

- 1. Call to Order.
- 2. Pledge of Allegiance.
- 3. Public Comments and Announcements: This is an opportunity for citizens to speak to Task Force relating to agenda or non-agenda items. Speakers are required to address the Task Force at the podium and give their name before addressing their concerns. [Note: State law will not permit the Shoreline Task Force to discuss debate or consider items that are not on the agenda. Citizen Comments may be referred to City Staff or may be placed on the agenda of a future Shoreline Task Force meeting]
- 4. Approval of minutes of the Nov. 9, 2015 regular meeting.
- 5. Discussion & action on the beach front construction certificate and dune protection permit for Embassy Condominiums to conduct a dune ridge construction project. (Trevino)
- 6. Adjournment

DATED THIS THE 20TH DAY OF NOVEMBER 2015

Susan Hill, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING OF THE SHORELINE TASK FORCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS IS A TRUE AND CORRECT COPY OF SAID NOTICE ON THE BULLETIN BOARD AT CITY HALL/MUNICIPAL BUILDING ON NOV. 20, 2015 AT/OR BEFORE 3:00 P.M. AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.

Susan Hill, City Secretary

THIS FACILITY IS WHEELCHAIR ACCESSIBLE, AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT BUILDING OFFICIAL, JAY MITCHIM; ADA DESIGNATED RESPONSIBLE PARTY AT (956) 761-1025.

CITY OF SOUTH PADRE ISLAND SHORELINE TASK FORCE AGENDA REQUEST FORM

NAME & TITLE:	Reuben Trevino, Coastal Resources & Parks Administrator					
DEPARTMENT:	ENT: Coastal Resources and Parks Administration					
ITEM						
Approval of minute	s of the Nov. 9, 2015 regular meeting.					
ITEM BACKGROUND						
BUDGET/FINANCIAL	SUMMARY					
COMPREHENSIVE PL	AN GOAL					
LEGAL REVIEW						
Sent to Legal: Approved by Legal:	YES: NO: YES: NO:					
Comments: RECOMMENDATIONS	S/COMMENTS					

MEETING DATE: Nov. 23, 2015

MINUTES CITY OF SOUTH PADRE ISLAND SHORELINE TASK FORCE COMMITTEE MONDAY, November 9, 2015

I. CALL TO ORDER.

The Shoreline Task Force Committee of the City of South Padre Island, Texas held a regular meeting on Monday, November 9, 2015, at the Municipal Complex Building, 2nd Floor, and 4601 Padre Boulevard, South Padre Island Texas. Chairman Munarriz called the meeting to order at 3:00 p.m. A quorum was present: Chairman Paul Munarriz, Members Troy Giles, Neil Rasmussen, Theresa Metty, Virginia Guillot, Rob Nixon and Charlie Brommer all present. City staff members present were City Manager, Bill DiLibero & Reuben Trevino, Coastal Resources & Council Member Dennis Stahl.

II. Pledge of Allegiance

Chairman Paul Munarriz led the Pledge of Allegiance

III. Public announcements and comments:

Public comments and announcements were given at this time.

At this time Chairman Paul Munarriz turned the meeting over to Vice-Chair Troy Giles.

IV. Approval of minutes for Oct. 12, 2015

A motion was made to accept as written by Paul Munarriz, second by Theresa Metty.

V. Discussion & action regarding the unexcused absences of Members Charlie Brommer and Rob Nixon from the Oct. 12, 2015 Meeting. (Munarriz)

Motion made by Theresa, second by Paul to excuse both absences. Motion passed unanimously with abstentions from Charlie Brommer & Rob Nixon.

- VI. Update and discussion on beach access improvements. (Trevino)
- VII. Update and discussion on the 2015 Beneficial Use of Dredge Material (BUDM) project. (Trevino)
- VIII. Update and discussion on the Coastal Resources Grant Projects. (Trevino)
 - IX. Discussion and update regarding the ASBPA New Orleans Conference. (Nixon)
 - X. Update and discussion regarding the ASBPA New Orleans written report.
 - XI. Presentation given at both the ASBPA New Orleans Conference and the ASBPA's first Dune Challenges on Developed Coastlines Workshop. (Trevino)

- XII. Update and discussion regarding ASBPA's 1st Dune Challenges on Developed Coastlines Workshop. (Trevino)
- XIII. Update, discussion and possible action regarding The Pearl Walkover Project and public encroachment with the property's trash compactor. (Nixon)

Motion made by Rob Nixon to hold a meeting with The Pearl Manager Rene Valdez, Coastal Resources Administrator Reuben Trevino, Councilman Dennis Stahl, City Mgr. William DiLibero Representatives from Shoreline Task Force and City Attorney Paul Cunningham to discuss the issue of encroachment on the public easement at the Pearl. Second by Theresa Metty. Motion passed unanimously.

XIV. Discussion and possible action on damage to the dunes after recent tide surges and plans for future necessary restoration efforts. (Giles)

No action taken on this item.

- XV. Update, discussion and possible action regarding:
 - A. Potential funding options for the approved bay access project at Corral St. (Metty)
 - B. Purchase of land for bay access project at Corral St.

No action taken on this item.

XVI. Discussion and action to recommend to the City Council approval to attend and necessary budget amendment regarding Reuben Trevino's attendance and panel participation at the 2016 NCER (National Conference on Ecosystem Restoration) in Coral Gables, Florida on April 18-22, 2016. (Munarriz)

Motion made by Rob Nixon, second by Theresa Metty to recommend to City Council approval of Reuben Trevino's attendance at the 2016 NCER Conference, April 18-20, in Coral Gables, Florida. Motion passed unanimously.

XVII. Discussion and possible action regarding November 23, 2015 regular meeting. (Trevino)

No action taken on this item.

NOTE At this time Chairman Paul Munarriz resumed as Chairman.

XVIII. Adjournment

Me	eting	was	adjou	rned	by	Chairman	Paul	M	Iunarriz	at 4	:40pn	n.

Paul Munarriz, Chairman	Mary K. Hancock, Coastal Resources

CITY OF SOUTH PADRE ISLAND SHORELINE TASK FORCE AGENDA REQUEST FORM

MEETING DATE: Nov. 23, 2015
NAME & TITLE: Reuben Trevino, Coastal Resources & Parks Administrator
DEPARTMENT: Coastal Resources and Parks Administration
ITEM
Discussion & action on the beach front construction certificate and dune protection permit for Embassy Condominiums to conduct a dune ridge construction project.
ITEM BACKGROUND
BUDGET/FINANCIAL SUMMARY
COMPREHENSIVE PLAN GOAL
LEGAL REVIEW
Sent to Legal: YES: NO: NO: Approved by Legal: YES: NO: NO:
Comments:
RECOMMENDATIONS/COMMENTS

MEMORANDUM

TO:

Beach & Dune Task Force

Natalie Bell, General Land Office

FROM:

Reuben Trevino, Coastal Resources

DATE:

October 21, 2015

RE:

Preliminary determination on the impact of the proposed permit application by Mickey Furcron. This is a Dune Ridge Enhancement project using 219 cubic yards of sand obtained from the East of the property and spread out in the immediate area for storm protection.

The preliminary determination of this Dune Ridge Enhancement project is that all activities will be taking place east of the HBL but will not affect any public beach access areas.

All proposed construction is seaward of the Historic Building Line, therefore:

- 1. The activity can conceivably reduce the size of the public beach. [TAC 15.5 (b)(1)]
- 2. The proposed activity does not appear to involve construction upon the public beach. [TAC 15.5 (c)(1)]
- 3. All proposed activity will take place seaward of the Historic Building Line; therefore the potential does exist for the proposed structure and landscaping will encroach upon the public beach; [TAC 15.5 (c)(2)]
- 4. The proposed construction activity will not close any existing public beach accesses within the area, nor will the construction close or prevent the use of any existing public beach parking spaces.

Concerning the Dune Protection element, our preliminary determination is that the application conforms to the requirements of the Town's *Dune Protection and Beach Renourishment and Access Plan*, in that: [B&D Ord. Section 22-10]

- 1. The activity should not result in the potential for increased flood damage to the subject property or adjacent properties. In fact this project will enhance the dune ridge at the mitigation site by raising the elevation across the entire property. This will provide better protection from damage to due to high tide and storm surge events.
- 2. The activity will not result in run-off or drainage patterns that aggravate erosion on and off the site.
- 3. There is change expected in the existing dune hydrology to the east of the Historic Building Line. The dune ridge on site will re-contoured to provide consistent minimum dune elevation of at least +10 feet.

MEMORANDUM

4.	The proposed activity will disturb some portions of the flora or fauna on site however that
	damage can be mitigated with watering and/or planting of additional vegetation in front of
	the project. A mitigation plan has been submitted with the application.
5	The activity will not significantly increase the potential for washover or blowouts.
٠,٠	The activity will not significantly increase the potential for washover of blowouts.

Reuben Trevino	



November 9, 2015

Via Electronic Mail

Mr. Reuben Trevino
Coastal Resources Manager
City of South Padre Island
P.O. Box 3410
South Padre Island, Texas 78597-3410

Beachfront Construction Certificate & Dune Protection Permit in the City of South Padre Island

Site Address: 2600 Gulf Boulevard, South Padre Island

Legal Description: Lots 2, 3, 4 & 25ft of 5, Block 41, Padre Beach Section IV

Lot Applicant: Furcron Property Management Company, c/o Mickey Furcron

GLO ID No.: BDSPI-15-0347

Dear Mr. Trevino:

The General Land Office has reviewed the application for a dune protection permit and beachfront construction certificate for the above-referenced location. The applicant proposes a project to redistribute 219 cubic yards of sand obtained from a dune with an elevation of at least 15 feet and contiguous with the adjacent property. Material will be relocated to the depicted areas on the property that are below 10 feet in elevation as allowed by the City's Dune Protection and Beach Access Plan and Erosion Response Plan. Additionally, the applicant will plant native dune vegetation within the project area and water the mitigation site as needed. According to the Bureau of Economic Geology, the proposed construction site is located in an area that is accreting.

Based on the materials forwarded to our office for review, we have the following comments:

- The height of the altered dunes to be redistributed can be no lower than ten feet (10') above sea level.¹
- The City must ensure the proposed activity will minimize impacts on natural hydrology and will not cause erosion of adjacent properties (including the dune complex bordering the property to the south), critical dune areas, or the public beach.² Dunes on the adjacent property must not be impacted.
- The applicant must re-vegetate the impacted areas on a 1:1 ratio as compared to pre-construction vegetative cover, and the areas should be protected with sand fencing and signage. The City must

² 31 Tex. Admin. Code § 15.6(g).

¹ SPI Beach Access Plan, Sec 22-9(B)(7).

require the applicant to use indigenous vegetation that will achieve the same protective capability as the surrounding natural dunes.³

- The applicant must first avoid and then mitigate for any adverse effects to dunes or dune vegetation during removal and placement of the dune.⁴
- The applicant must restore the dunes to approximate the naturally formed dune position or location, contour, volume, elevation, vegetative cover, and sediment content in the area.⁵
- The restored dunes must not restrict or interfere with public access to the beach. ⁶ Beach access mats are recommended to ensure beach access while protecting the restoration area.
- Construction activities must not impact the public's ability to access or use the beach.

If you have any questions, please contact me by phone at (512) 463-0413 or by email at natalie.bell@glo.texas.gov.

Sincerely,

Natalie Bell

Beach Access & Dune Protection Program

Coastal Resources Division

Texas General Land Office

³ 31 Tex. Admin. Code § 15.7(e)(4).

⁴ 31 Tex. Admin. Code §15.4(f)(3).

⁵ 31 Tex. Admin. Code § 15.4(f)(3)(A)(i).

⁶ 31 Tex. Admin. Code § 15.7(e)(2).







The Professionals

October 6, 2015

City of South Padre Island 4601 Padre Blvd South Padre Island, TX 78597

Attn: Ruben Trevino- Coastal Resource & Park Administrator

Subject: Dune Application Embassy Condominiums

2600 Gulf Blvd South Padre Island, TX

Dear Ruben,

The Beach & Dune Application for the subject property is enclosed along with our check for \$300. I have also enclosed 3 additional copies of the application. I have also sent you an email with a copy of the application attached so you have an electronic copy.

The survey has been highlighted to reflect the area being reduced and the area being filled in.

I believe the application is complete but if I have missed anything, please let me know as we wish to move this process forward so we can get the work done before the Winter Texas come in in January.

Thank you for your attention to this request.

Sincerely,

Furcron Property Management Co Inc.

Mickey Furcron, DRS, GRI, e-PRO

Principal Broker/Owner & Embassy Property Manager

SALES * RENTAL * PROPERTY MANAGEMENT



Beach & Dune Application

City of South Padre Island 4601 Padre Blvd. South Padre Island, TX 78597 Phone: (958) 761-3044 Fax: (956) 761-3898

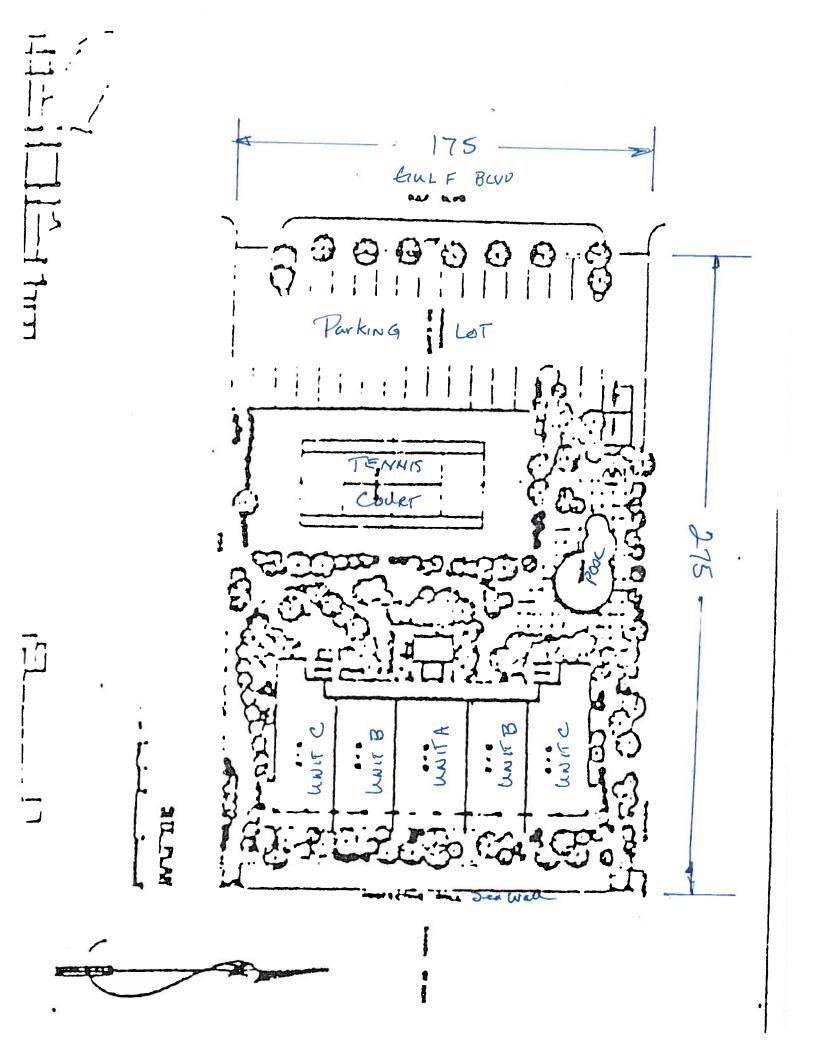
Site for Proposed Work
Legal Description: LOTS 2,34825 of 5 BULY Physical Address: 2600 GULF BUD
Property Owner Information Applicant / Agent for Owner
Name: EMBASSY CONDOMINION Name: FURCION Property of Control C
Project Description
Describe with as much as detail as possible, the construction proposed. If more room is needed, please include an additional page. Include the number of habitable units, amenities, swimming pools, fences.
Per attached to pographic survey The dupes in front of Embessy Condomination is over 15 feet high. The Project is to reduce The height of the dunes.
16,8
Total Square Footage of Footprint of Habitable Structure: 7918
Total Area of Impervious Surface (i.e. retaining walls, walkways, drives, patros, etc.):
Percentage Impervious Surface [(impervious surface / habitable footprint)* 100]:
Please Note: the percentage of impervious surface cannot exceed 5% in an eroding area.
Approximate Duration of Construction: (Week

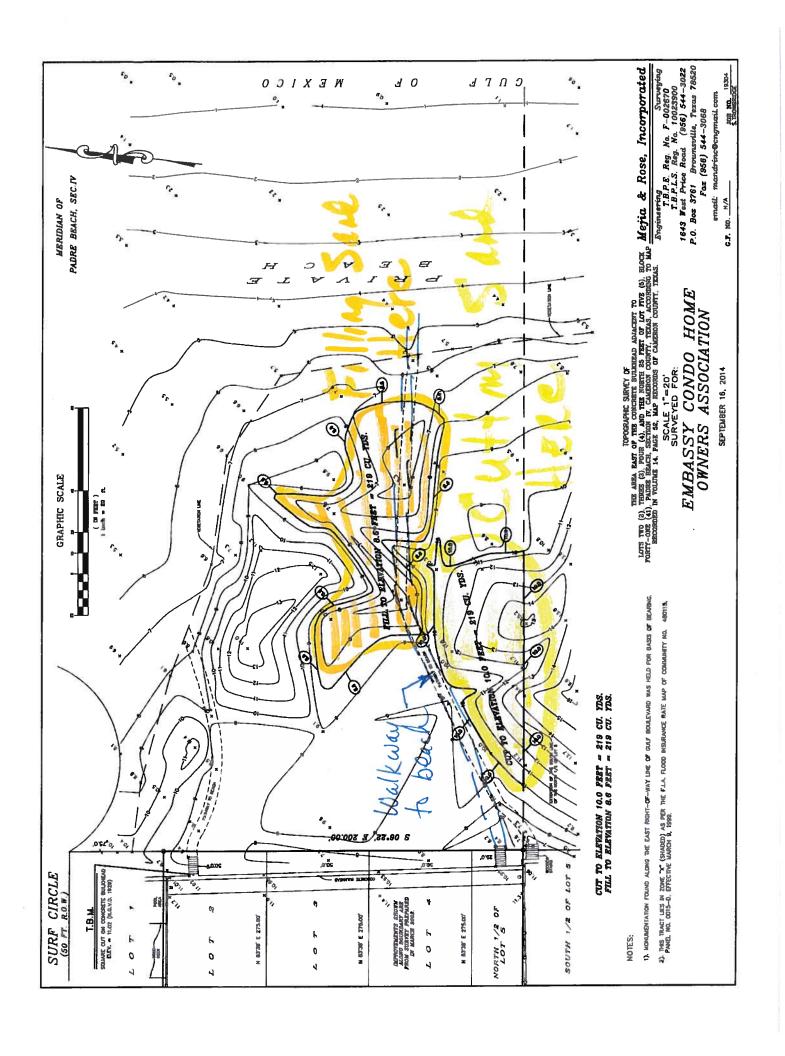
Financial Plan for the Removal of All Hard Structures
All properties which are allowed to build retaining walls on their property are allowed to do so with the condition that a financial plan for the removal of the retaining wall is submitted to the Public Works Department of the City of South Padre Island. Removal of the retaining wall at the owner's expense may be required #fonce the retaining wall comes into regular contact with wave action for twenty (20) out of thing (30) consecutive days. The City accepts the submission of a Retaining Wall Covenant, or other financial guarantee, insuring the removal of the retaining wall if the required conditions are mel
Type of Plan Submitted: N/A Date Submitted: A/A
Drainage
Describe the impact that the proposed construction will have on the natural drainage pattern on the site and adjacent lots. No change in the drainage on site.
The proposed construction will change the grading and the drainage on the subject property. (An explanation will be required detailing where the water will drain.)
Explanation / Other Information:
Impacts to Beach / Dune System
Answer each question as completely as possible in narrative form
1. What damage will this proposed construction have on the dune vegetation located at the project site?
No damage to dune vegetation whatsoever.
The proposed construction will impact% of the dune vegetation site. (An explanation of the "impact" will be required.)
The proposed construction will require the removal and relocation of% of the dune vegetation on site. (The submission of a mitigation plan will be required.)
Explanation / Other information: Approximately 219 Cubic Yards of Sond will be Years fributed within the property to reduce elevation to 10 feet See attached Survey. 2. How will the proposed construction after the dune size/shape at the project site?
No change to dune size/shape whatsoever.
The proposed construction will change% of the size/shape of dunes on site. (Details will be required.)
The proposed construction will require the removal and relocation of
Explanation/Other Information: Not sure what the % is - See attach survey
3. How will the proposed construction change the hydrology of the dunes at the project site?
No change to dune hydrology whatsoever.
The proposed construction will impact dune hydrology on site. (Details will be required.)
Explanation / Other Information:
4. Describe alternatives to the proposed construction or method of construction which will cause fewer or no solverse effects on dunes and dune vegetation Since the height of the dune is being reduced and Sand redistributed not sure there is an afternative.
5. Describe alternatives to the proposed construction or method of construction which will cause fewer or no adverse impairment to beach access.
None Knows

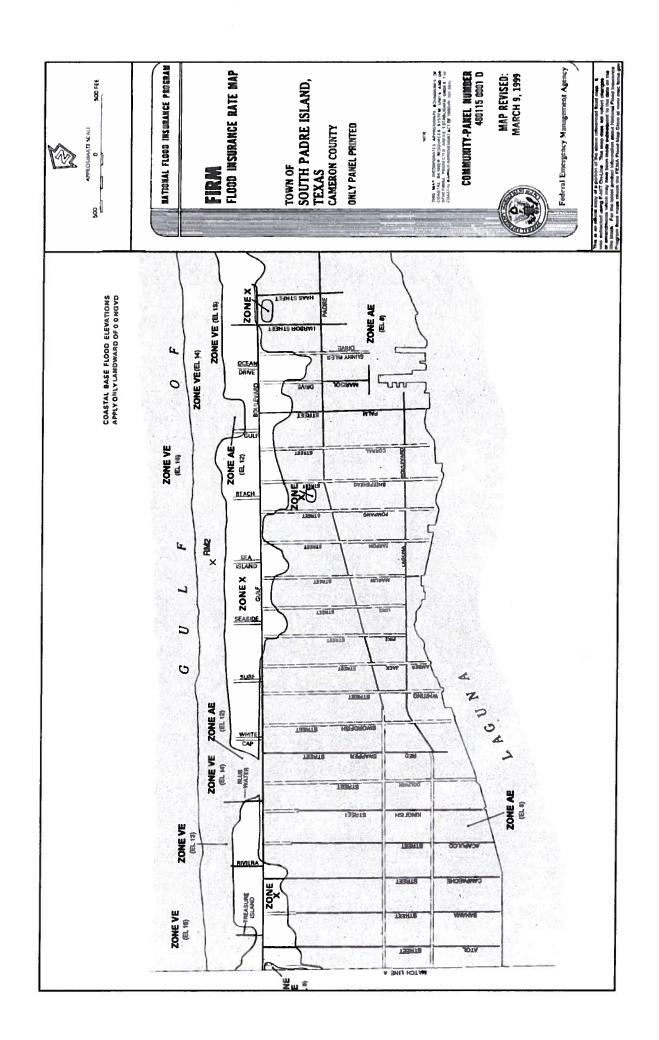
Mitigation Plan
Describe the methods which you will use to avoid, minimize, milligate and/or compensate for any adverse effects on dunes or dune vegetation. Explanation / Other Information: Some vegetation will be affected. Plan- Includes replanting vegetation, by pustaine it uside and placing it back or top once leveling is long. Add Financial Plan for Duno Mitigation: additional vegetation are performance bond, etc.) may be necessary to insure the mitigation of dunes/dune vegetation takes place as proposed and required of the applicant. Type of Plan Submitted: Date of Submission:
Checklist of Additional Required Application Information
An accurate map, plat or site plan showing: 1. Legal description of the property (lot, block, subdivision) and the immediately adjoining property. 2. Location of all existing structures - including the habitable and inhabitable structures, swimming pools, decks, fences, parking areas, landscape areas, etc. 3. Location of the Historical Building Line on the subject property and the extension of the line on the properties immediately adjoining the subject property to the north and to the south. 4. Location and elevation of existing retaining walls - both on the subject property and those properties immediately adjoining the subject property to the north and to the south. 5. Location of proposed structure(s) - if proposing the construction of a retaining wall, please also include the proposed elevation of the retaining wall. 6. Location of proposed driveways, parking areas (showing the # of proposed parking spaces) and landscape areas. 7. Location of all existing and proposed beach access paths and/or dune walkovers. 8. Location and extent of any man-made vegetated mounds, restored dunes, fill activities, or any other pre-existing human modifications on the tract
9. Topographical survey of the site identifying all elevations, existing contours of the project area (including dunes and scales) and the proposed contours of the final
grade. Other required application information:
1. A grading and layout plan showing proposed contours for the final grade. 2. The floor plan(s) and elevation(s) of the structure proposed to be constructed or expanded. 3. Photographs of the site which clearly show the current location of the vegetation line & existing dunes on the tract within the last 6 menths. 4. Copy of the Flood Rate Map showing the location of the subject property. (FEMA.GOV - Map Search) 5. Copy of the Historical Erosion Rate Map as determined by the University of Texas at Austin, Bureau of Economic Geology. (beg.utexas.edu) 6. Application Fee of \$180 for Staff Approved applications and \$300 fer City Council Approved applications.

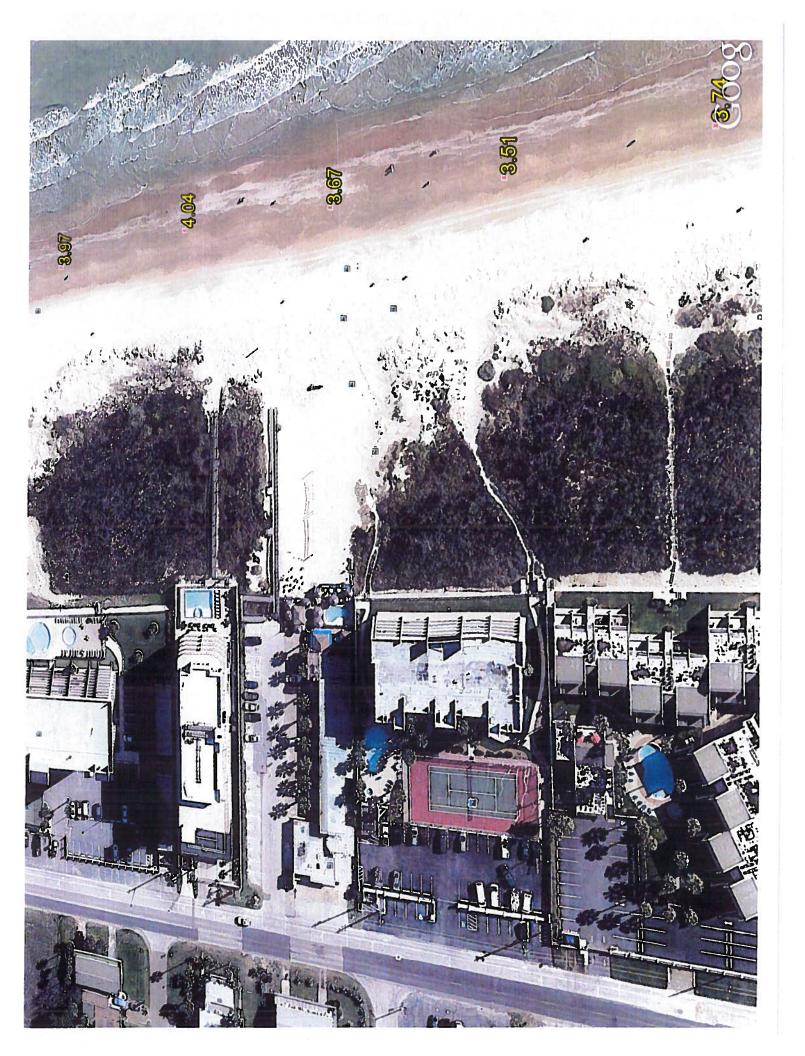
Your application is not complete unless all information requested above is submitted.

Application submissions require only three (3) copies of the complete information plus a digital copy.









SINCE 1983



FURCRON INC., REALTORS' PROPERTY MANAGEMENT CO.



The Professionals

July 1, 2015

South Padre Great Wall LLC DBA Surf Motel 1225 N Expressway Ste. C4 Brownsville. TX 78520-8600

Subject: Embassy Condominiums Dune Reduction

Dear Sir/Madam.

Due to the height of the dunes increasing over the years, the Embassy Condo Owners Association desires to reduce the height of the dune in front of the Embassy. The area that is over 15 feet high is on the property line with La Concha.

Part of the application process with the City of South Padre Island is to get approval from our neighbors. The area affected is on the south side of the property and does not interfere in any way with the Surf Motel property.

I would appreciate your approval to allow the Embassy Condominium owners to proceed with the proper application to gain approval from the City of South Padre Island to proceed with reducing the 15 feet plus high dune down to 10 feet.

I have attached the topographic survey showing the area we wish to reduce and how the displaced beach sand will be redistributed. Please contact me if you have any questions. Your prompt response is appreciated.

Sincerely,

Furcron Property Management Co. Inc.

Mickey Furcron CRB, GRI, e-PRO

Principal Broker/Ówner & Embassy Property Manager

Cc Embassy Board of Directors

To whom it may concern,

I, Anil Wadhwani, manager of Surf Motel, approve the reduction of the dunes at Embassy Condominiums.

Sincerely, Anil Wadhwani

956-761-2831

9-22-2015







July 1, 2015

The Professionals

La Concha Homeowners Association 2500 Gulf Blvd. South Padre Island, TX 78597

Attention: Mark Dunham- Property Manager

Dear Mr. Dunham,

Per our recent conversation, the Embassy Condo Owners Association desires to reduce the height of the dune in front of the Embassy. The area that is over 15 feet high is on the property line with La Concha. In order to effectively reduce that portion of the dune, it will also require lowering or tapering off some of the dune that is partially in front of the La Concha.

In addition to getting approval from our neighbors, in this case we also need permission to reduce a portion of the dune that encroaches in front of La Concha. Based on our conversation some of your owners have expressed interest in reducing the dune but as an association, that has never been acted on or approved. In talking with the city's Beach & Dune coordinator, should the La Concha wish to do a more extensive reduction, now would be the time to join Embassy in our efforts to do it together.

Please present this request to your Board of Directors for approval to allow the Embassy Condominium owners to proceed with the proper application to gain approval from the City of South Padre Island to proceed with reducing the 15 feet plus high dune down to 10 feet.

I have attached the topographic survey showing the area we wish to reduce and how the displaced beach sand will be redistributed. Please contact me if you have any questions.

Sincerely,

Furcron Property Management Co. Inc.

Mickey Furcron, CRB, GRI, e-PRO

Principal Broker/Owner & Embassy Property Manager

Cc Embassy Board of Directors

SALES * RENTAL * PROPERTY MANAGEMENT

