



BOARD OF ALDERMEN
AGENDA ITEM
11/06/24

ISSUE: Budget Amendment 2025-25.7

PRESENTED BY: Kim Weaver, Deputy Finance Officer

DEPARTMENT: Shoreline Protection

Background: The Board approved at their February 7, 2024 meeting a contract not to exceed \$675,000 with TI Coastal for a Permitting and Design Contract. TI Coastal submitted the Contract for signature in July 2024. This ordinance designates \$675,000 of Future Projects Funding for this contract.

Attachments: Contract with the TI Coastal, Draft Minutes from February 7, 2024 Meeting and Budget Amendment 2025-25.7.

Recommendation: Approve Amendment as recommended

Action Needed: Yes

Suggested Motion: *"I, _____, make a motion to approve Budget Amendment 2025-25.7 as presented."*

Funds: 30

Follow Up: Deputy Finance Officer

TOWN OF NORTH TOPSAIL BEACH
2008 Loggerhead Court
North Topsail Beach, NC 28460

FISCAL YEAR 2024-2025

AMENDMENT TO THE BUDGET ORDINANCE

BA 2025-25.7

BE IT ORDAINED by the Governing Board for the Town of North Topsail Beach, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2025:

Section 1: To amend the Shoreline Protection Fund appropriations as follows:

<u>DEPARTMENT NO:</u>	<u>ACCOUNT</u>		
710	Contracted Services	\$	675,000
999	Future Projects Fund	\$	(675,000)
	Total Expenditures	\$	-

30-710-45
30-999-01

This amendment will result in an increase (decrease) to the following departments:
Shoreline Protection Fund
 The purpose of this budget amendment is to appropriate the TI Coastal Permitting and Design Contract approved by the Board on February 7, 2024. TI Coastal submitted the Contract for signature in July 2024 - FY 2025.

Section 2: Copies of the budget ordinance amendment shall be furnished to the Town Clerk, the Council, the Budget Officer, and the Finance Officer for their direction.

Adopted this 6th Day of November 2024

Motion made by _____, 2nd by _____

VOTE: ___ FOR ___ AGAINST ___ ABSENT

 JOANN MCDERMON, MAYOR

 KIM WEAVER, DEPUTY FINANCE OFFICER

FUND 30			
ORIGINAL BUDGET	7/1/2024	\$	4,486,444
Budget Amendment 1	9/4/2024	\$	28,497
Budget Amendment 2	10/2/2024	\$	155,000
Budget Amendment 3	11/6/2024	\$	(5,000)
Budget Amendment 4	11/6/2024	\$	-
New Budget Ordinance for FY 24-25		\$	4,664,941
			Department to Department Amendment 675,000

Debra Mack

From: Alice Derian <aderian@northtopsailbeachnc.gov>
Sent: Thursday, October 31, 2024 9:00 AM
To: Debra Mack
Subject: FW: Scope Change to Perform Field work Design and Permitting of 5 Year Plan
Attachments: North Topsail Beach 5 Year Plan Scope Schange 240301 Engineering Proposal.pdf

From: Chris Gibson <clgibson@ticoastal.com>
Sent: Thursday, July 11, 2024 11:33 AM
To: Alice Derian <aderian@northtopsailbeachnc.gov>
Cc: Melissa Insco <mhinsco@ticoastal.com>
Subject: Scope Change to Perform Field work Design and Permitting of 5 Year Plan

Alice,

Please find attached the Change Order to perform the 5 Year Plan work. I apologize that this got lost in the weds.

Chris

Pursuant to North Carolina General Statutes, Chapter 132, email correspondence to and from this address may be considered public record under the North Carolina Public Records Law and may possibly be disclosed to third parties.



TI Coastal, PLLC
387-B North Green Meadows Dr.
Wilmington, NC 28405



**Scope Modification to Consultant Contract
for
Permitting and Design Services
*For 5 Year Plan***

**Onslow County and North Topsail Beach
New River Inlet Management Project**



PROFESSIONAL SERVICES AGREEMENT (Scope Change)

This Agreement between the Town of North Topsail Beach (hereafter called "TOWN"), and TI Coastal, PLLC (hereafter called "TIC") is effective as of March 1, 2024.

TIC represents that it has the knowledge, skills, and equipment to provide the engineering services outlined within the Scope of Work, therefore the Town and TIC agree as follows:

Terms of Agreement

The terms of this agreement shall begin from the date of written authorization and extend through the completion of the Scope of Work.

Scope of Work

Services provided by TIC shall include and be limited to the items outlined within the Scope of Work. Any services requested by the TOWN outside the proposed SOW shall be deemed additional services.

Compensation

1. The Professional Services outlined in the SOW are estimated at \$675,000.00.
2. All tasks shall be billed and compensated monthly on a basis in accordance with the SOW. Tasks identified as LUMP SUM tasks will be billed at the end of the month completed. All other tasks will be billed on a monthly Time and Materials basis in accordance with the attached Rate Sheet.
3. The Total Fee shall not exceed the estimate without prior written consent from the Town.
4. Rates provided are FY25 rates and shall increase by 2% at the beginning of each calendar year.
5. TOWN requested changes in Scope or Additional Services requested by the TOWN shall be billed according to the Time & Materials Rate Sheet provided.

Method of Payment

TIC will invoice the TOWN for Professional Services rendered and direct costs incurred under this agreement monthly. TIC shall bill the TOWN monthly for any additional services rendered outside of the written Scope. The TOWN shall make full payment within thirty (30) calendar days of receipt of an invoice.

If the TOWN fails to make payment within 30 days, TIC reserves the right to suspend services under this Agreement without waiving any claim or right against the TOWN until TIC has been paid in full for the services rendered.

Delays

TIC shall begin work upon receipt of the signed Agreement or a Written Notice to Proceed from the TOWN. In the event that the performance of TIC’s services is delayed by causes beyond the reasonable control of TIC, TIC shall not be held liable for damages resulting from such delays. TIC will advise the TOWN, in writing, of any delays, including a description of the delay and any additional costs or consequences incurred to the project as a result of the delay.

Insurance

TIC shall, at its sole cost and expense, maintain insurance that will protect it from claims under worker’s compensation acts, disability benefit laws, or similar employee benefit laws. TIC will also carry insurance to protect from claims for injury to or destruction of tangible property, including the loss of use resulting from the action of TIC or its employees in its performance of the work under this Agreement.

Termination of the Agreement

The TOWN and TIC both reserve the right to terminate this Agreement upon thirty (30) days written notice to the other party, in the event the other party substantially fails to comply with the terms of this agreement. In the event of termination, TIC shall be compensated for all services rendered up to the date of termination.

Signature

Signature of the Agreement by a duly authorized agent of the TOWN shall constitute acceptance of the terms of this Agreement and act as Notice to Proceed.

OWNER: The Town of North Topsail Beach

Address: 2008 Loggerhead Court
North Topsail Beach, NC 28460

By: _____
(Signature)

(Date)

TI Coastal, PLLC
387-B N. Green Meadows Dr.
Wilmington, NC 28405
(910) 821-1358

By:  _____

March 1, 2024



Scope and Estimate

<u>Geotechnical Field Investigations of DA 143</u>	<u>(Lump Sum)</u>
Mobilization	\$ 50,000
Geoprobos of DA143 (15 3.5" diameter 50' in length)	\$150,000
<u>LIDAR Survey of DA143</u>	<u>(Lump Sum)</u>
Field Data Collection & Processing	\$ 80,000
<u>Analysis of DA143 Sediment Samples</u>	(Estimate 225 samples)
Core Delineation and Photography (15 cores)	\$ 11,250
Munsell Classification (\$100/sample)	\$ 22,500
Sieve Analysis (\$125/sample)	\$ 28,125
Calcium Carbonate Analysis (\$135/sample)	\$ 30,375
<u>Borrow Area and Beach Design, Permitting, and Bidding</u>	<u>(T & M)</u>
Design	\$ 75,000
Permitting	\$150,000
Bidding	\$ 75,000
<u>Total Estimated Cost</u>	<u>\$672,250</u>

Rate Schedule

FY 2025

Position	Hourly Rate
Principle--Senior Engineer	\$210
Professional Staff (PE, PLS, PG)	\$165
Senior Technical Staff	\$145
Engineer	\$122
Engineer/CADD Technician	\$95
Administrative	\$80
Travel and Consumables	Cost + 10%

Survey Rates (includes Crew, Consumables, and Processing)	Daily Rate
Mobilization	\$4/mile
Single Beam Hydrography	\$3,700
Multi Beam Hydrography	\$5,100
Side-Scan Imaging <i>(Hi-Resolution Target Processing additional at hourly rates)</i>	\$4,000
Magnetometer Surveys	\$3,800
ChIRP (Sub Bottom Profile) Surveys	\$5,500

Geology Rates	Per Sample
Munsell Classification	\$100
Grain Size Analysis	\$125
Calcium Carbonate Analysis	\$135

PAGES FROM THE FEBRUARY 7, 2024 MEETING \$675,000 BUDGET

- It has to be in writing to the contractor to make sure he lives up to the schedule. I am concerned 50,000 cubic yards is \$2 million dollars. We would have to pay for it up front with no outside money. The Thirty-Year Beach Plan funding options go out the window.(Grant).
- Is there anything you recommend that can be done in this environmental window? (Derian)
- If we did place more sand, where would we place it? (McDermon)
- The engineer is talking about critical work now, not the Beach Plan. (McDermon)
- The Vitex grant is also open for beach projects as well and we can submit multiple applications. (Derian)
- CSDM grant window closes March 8th.(Benson)
- The grant will not be due for the next couple of months. (Derian)
- I will not approve sand scraping. It is a colossal waste of time and a disruption to the coastline and waste of taxpayer money. (Leonard)
- Sand scraping is cosmetic only and does more harm than good. (Pletl)
- We need an estimated cost of adding additional sand and a proposed location from the engineer. (McDermon)
- Budget season is coming up. (Grant)
- The grant route would not be getting something done this year. (Derian)
- Is someone supervising the Phase 5 truck haul? (Leonard)

Both Engineer Way and Gibson replied that they have someone monitoring the work for Phase 5 truck haul project and reporting daily to the Town Manger.

Consensus - Engineer Fran Way to provide cost and location for placement of additional sand in Phase I to Town Manager for consideration at budget meetings.

Consent Agenda

Consent Agenda items:

- Minutes from January 2, 2024, meeting
- Fire Station No. 2 Capital Project Ordinance
- Surplus items for disposition

Motion – Alderman Pletl motioned to adopt the Consent Agenda; seconded by Alderman Olszewski; unanimously approved.

Continuing Business

A. BISAC update

Chair Strother stated:

At the last meeting of the committee on January 16th, they heard the manager’s update, reviewed revised rules for reappointment, adopted the 2024 Meeting Schedule, discussed CSDM projects, discussed the proposed Five-Year Action Plan and Thirty-Year Beach Plan.

B. Five- and Thirty-Year Beach Plan

Engineer Gibson stated:

- The long-term goal is for the entire beach from the town line to New River Inlet
- There are areas that have not had anything done to them since 2002

- The strategy over the next few years is to finish Reaches 2 and 3, rebuild Reach 1 and move forward
- The term ‘Phases’ has been used to indicate areas. This plan uses the term ‘Reaches’ to provide a more geographical view. We want to move away from using the term ‘phases’ to using ‘reaches’.
- The goals of the plan are:
 - Provide nourishment and shoreline stabilization townwide within 5 Years
 - Have entire town meet “engineered beach” criteria for FEMA
 - Make as many properties CAMA setback conforming as possible
 - Implement long term (30 Year) plan with appropriate funding resources
 - Implement proactive construction/beach management practices
 - Maintain a fiscally responsible program
- For an engineered beach designation, the threshold to qualify for FEMA reimbursement is \$13 million dollars’ worth of damage county wide
- FEMA and the State require a long-term plan for funding requests
- The plan recommends a temporary terminal groin in the form of a sheet pile to hold sand from going back into the inlet because the north end will not hold sand. It is similar to a terminal groin, but is removable and recyclable and has a five-year life cycle
- The plan’s design schedule is:
 - 30-year concept plan – Dec. 2023
 - Stand-alone permit for Reaches 1, 2 & 3 (DA143) - Dec. 2023 – Nov. 2024
 - Long term sand source development - Jan. 2024- Dec. 2024
 - Finalization of 30-year plan, including permit - Dec. 2025
 - Upon completion of Reaches 1, 2, & 3 in Fiscal Year 26 entire Town will be an engineered beach.
- Non construction expenses over fiscal years 2024 and 2025 are:

<u>FY-24</u>	
• Surveys & Geotechnical analysis of DA 143	\$300,000
• Engineering/ design of borrow area & beach fill	\$150,000
<u>FY-25</u>	
• Environmental analysis	\$ 75,000
• Permitting/ grant applications	\$150,000
TOTAL	\$675,000
- The plan assumes no major storm events
- Funding opportunities are:

FY	AV & ROT	Sales & Park	Grants	FDA Loan	Project Expenses	Balance	Notes
						\$ 17,800,000	
2024	\$ 3,200,000	\$ 1,000,000	\$ 8,300,000		\$ 8,300,000	\$ 22,000,000	Reach 5
2025	\$ 3,200,000	\$ 1,000,000			\$ 11,500,000	\$ 14,700,000	Reach 4
2026	\$ 3,200,000	\$ 1,000,000	\$ 25,875,000	\$ 2,000,000	\$ 36,500,000	\$ 6,275,000	Reach 1,2,3 DA143
2027	\$ 3,200,000	\$ 1,000,000		\$ 2,000,000	\$ 500,000	\$ 7,975,000	
2028	\$ 3,200,000	\$ 1,000,000		\$ 2,000,000	\$ 5,000,000	\$ 5,175,000	Terminal Groin Armoring
2029	\$ 3,200,000	\$ 1,000,000	\$ 12,000,000	\$ 2,000,000	\$ 16,000,000	\$ 3,375,000	Reach 1,2,3 Inlet
2030	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 7,300,000	
2031	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 11,225,000	
2032	\$ 3,200,000	\$ 1,000,000	\$ 12,050,000		\$ 24,100,000	\$ 3,375,000	Reach 4,5 Hopper
2033	\$ 3,200,000	\$ 1,000,000	\$ 12,000,000		\$ 16,000,000	\$ 3,575,000	Reach 1,2,3 Inlet
2034	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 7,500,000	
2035	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 11,425,000	
2036	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 15,350,000	
2037	\$ 3,200,000	\$ 1,000,000	\$ 12,000,000		\$ 16,000,000	\$ 15,550,000	Reach 1,2,3 Inlet
2038	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 19,475,000	
2039	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 23,400,000	
2040	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 27,325,000	
2041	\$ 3,200,000	\$ 1,000,000	\$ 12,000,000		\$ 16,000,000	\$ 27,525,000	Reach 1,2,3 Inlet
2042	\$ 3,200,000	\$ 1,000,000	\$ 12,050,000		\$ 24,100,000	\$ 19,675,000	Reach 4,5 Hopper
2043	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 23,600,000	
2044	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 27,525,000	
2045	\$ 3,200,000	\$ 1,000,000	\$ 12,000,000		\$ 16,000,000	\$ 27,725,000	Reach 1,2,3 Inlet
2046	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 31,650,000	
2047	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 35,575,000	
2048	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 39,500,000	
2049	\$ 3,200,000	\$ 1,000,000	\$ 12,000,000		\$ 16,000,000	\$ 39,700,000	Reach 1,2,3 Inlet
2050	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 43,625,000	
2051	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 47,550,000	
2052	\$ 3,200,000	\$ 1,000,000	\$ 12,050,000		\$ 24,100,000	\$ 39,700,000	Reach 4,5 Hopper
2053	\$ 3,200,000	\$ 1,000,000	\$ 12,000,000		\$ 16,000,000	\$ 39,900,000	Reach 1,2,3 Inlet
2054	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 43,825,000	
Total	\$ 99,200,000	\$ 31,000,000	\$ 167,525,000	\$ 8,000,000	\$ 263,700,000	17%	
Annual	\$ 3,200,000	\$ 1,000,000	\$ 5,404,032		\$ 8,506,452		
Annualized SDI			\$ 3,080,645				
Annualized Beach Fund			\$ 2,323,387				

- The spreadsheet assumes we keep up with inflation and there is a positive amount at the end.

Alderman Grant asked Mr. Gibson to clarify if the \$675,000 amount is to get all the permitting done this calendar year. His recommendation to the Board would be to approve what he (Gibson) needs to get this done and then try to get the fastest schedule so we do not lose the windows on things.

Engineer Gibson said that it is correct that \$675,000 is the amount to get all the permitting filed this calendar year.

Alderman Grant stated from a timing standpoint BISAC recommended approval to go ahead with getting permits so we do not lose the window.

Mayor McDermon asked Engineer Gibson if we follow this high-level schedule that you have and you started to place the sand to have an engineered beach in fiscal year 2026, would you start with that temporary structure? How logistically would you begin?

Engineer Gibson replied we would begin with running a pipeline down the waterway beginning at Reach 3 where the power line easement is. We would come down to Marina Way and come across the island there at the power lines. There is one of your bridges there and an empty lock there so we would go under. This would be so the weather could not impact it. We would then go south into Phase 4 and then flip and go north up to Phase 1. We would put in the retaining structure at the end.

Mayor McDermon stated that the easement is privately owned.

Engineer Gibson said he knows the owner and we would work with that person.

Alderman Grant said he thought we technically had a thirty-year beach plan in place.

Will this be amending that?

Mayor McDermon said she was told our thirty-year beach plan is not approved by the state's DCM (Division of Coastal Management).

Engineer Gibson said it is all about the static line. If we want to get rid of the static line, we present the state with a thirty-year beach plan. The state wants to approve thirty-year plans and will give permits for a ten-year period. Then, if that is successful, they will give permits for twenty years. This is new thing with the state. They do not want to approve project by project. We need to re-up the plan. The state is looking at ways to allocate funds annually.

Alderman Leonard said fifteen years ago, the Beach Erosion Study team favored shoreline protection, rather than a beach plan. By protecting the shoreline you protect property and infrastructure. He said he is very impressed with this plan. He is curious why we would not call the reaches areas one through five instead to just make it simpler.

Engineer Gibson responded that we could call them phases, but he thought the phasing language should be put out because it is no longer a timing thing.

Mayor Pro Tem Benson stated he is optimistic. The BISAC group has worked over six months or more on this. This is a good, novel plan that makes a lot of sense and accomplishes two things particularly with the use of DA143 as a sand source. He is very supportive of it. He has concerns about future maintenance once we get past using DA143. New River Inlet has an authorized depth of six feet plus or minus two feet. It is one of the shallowest draft inlets in the state. Most are eight feet. He learned recently that Topsail Inlet is eighteen feet authorized. So it is possible to get a permit to dredge a greater depth even though it is only authorized at six feet.

Engineer Gibson said New River Inlet is the shallowest inlet in the country. The Topsail Inlet permit is eighteen feet or sixteen feet plus two feet, but the federal authorization is only eight plus two. Most dredges in the ocean need fourteen feet low water just to float. We want to get on a schedule, so we need to dredge to sixteen to eighteen feet and then it can stay open for five years. This will save on mobilization. This will be part of the permitting process that we do.

Alderman Leonard asked if the sixteen to eighteen feet is the Corps of Engineers guidelines they use when dredging.

Engineer Gibson said that is correct. If the Corps was going to do a hydraulic dredging project in this inlet, they would go down to fourteen plus two feet.

Alderman Pletl stated when CP&E had the plan to straighten the inlet, there were artifacts that precluded them from going as deep as they wanted. She loves the project as outlined and it looks very encouraging. Are there any hiccups that you foresee that we need to mitigate?

Engineer Gibson said it was a peat layer they encountered. What happens with the terminal groin and that north end really impacts the long-term plan. Until something is in place to stabilize the north end, the inlet cannot be used as a sand source because digging a hole next to the houses is not a good idea. This has a huge impact on what we are looking at long term. In this plan, the hope is by the time we need to use the inlet the terminal groin has gone through and been constructed or another plan to stabilize has come to fruition.

Mayor McDermon said this is an excellent presentation. She feels this is the first time we have something that is obtainable and reachable to get our beaches where we want them to be.

BISAC Chair Strother asked if we can begin to start getting the permitting started.

Mayor McDermon said we cannot realistically approve this today. We have to look at the budget and put it on the agenda for next month.

Alderman Grant said the budget in the plan for permitting is \$675,000 over two years. We currently have \$1.2 million in the Beach Fund now. We already have the money in the budget this fiscal year. He wants the Board to give approval now.

Mayor Pro Tem says he agrees the \$675,000 is over two budget years and we do have \$1.2 million in the Beach Fund.

Alderman Leonard said we were originally looking to approve the funding for the permit work, not the whole plan.

Motion – Alderman Olszewski motioned to approve the non-construction expenses over fiscal years 2024 and 2025 not to exceed \$675,000 in fiscal year 2024 as follows: seconded by Alderman Leonard; unanimously approved.

<u>FY-24</u>	
• Surveys & Geotechnical Analysis of DA 143	\$300,000
• Engineering/ Design of Borrow Area& Beach Fill	\$150,000
<u>FY-25</u>	
• Environmental Analysis	\$ 75,000
• Permitting/ Grant Applications	\$150,000
TOTAL	\$675,000