

ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT
MINUTES OF REGULAR MEETING
Tuesday, October 17, 2017

The regular meeting of the St. Augustine Port, Waterway & Beach District was held at the St. Augustine Beach City Commission Meeting Room, 2200 A1A South, St. Augustine Beach, Florida on Tuesday, October 17, 2017.

1. CALL TO ORDER

Vice-Chairman Barry Benjamin called the meeting to order at 3:00 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the flag of the United States of America followed.

3. ROLL CALL

Vice-Chairman Barry Benjamin, Commissioner Tom Rivers, and Commissioner Chris Way were in attendance. The meeting was also attended by Mike Trudnak of Taylor Engineering, District Counsel Jim Bedsole and Secretary-Treasurer Elyse Kemper.

4. SECRETARY-TREASURER'S REPORT

Secretary-Treasurer Kemper delivered the financial report. As of September 30, 2017, the District had spent a total of \$439,509 including \$163,908 for committed projects, \$163,924 in non-committed projects, and \$275,585 in operating expenses. As of September 30, 2017, District deposit funds totaled \$1,930,083, of which \$1,660,841 is available for use. A total of \$457,863 in tax revenue was delivered to the District during the fiscal year. As of October 17, 2017, the separate Summer Haven River Restoration Project account contained \$69,365.00.

5. APPROVAL OF MINUTES

The board considered the minutes for the regular meetings held August 15, 2017 and September 14, 2017, and the minutes of the public hearings on budget and millage held September 14, 2017 and October 3, 2017.

A motion by Commissioner Way to approve all of the minutes was seconded by Vice-Chairman Benjamin and passed unanimously.

6. ENGINEERING REPORT

Mike Trudnak delivered the engineering report on behalf of Taylor Engineering. Mr. Trudnak presented Change Order No. 5 for the Summer Haven River Restoration Project and explained how this modification will provide funds for the beach closure mitigation plan, provide hydraulic dredging of almost four thousand cubic yards of sand west of the S.R. A1A bridge, pay for unanticipated bird monitoring costs, pay for additional beach fill placed after Hurricane Irma, and about ninety-five thousand dollars in credits to the District for work contracted but no longer deemed necessary. The total of all adjustments is \$88,423. Most of the changes detailed in the change order result from impact of Hurricane Irma on the project area.

Chairman Dixon and Commissioner Helman arrived at 3:15 p.m.

A motion by Vice-Chairman Benjamin to approve Change Order No. 5 in the amount of \$88,423.00, was seconded by Commissioner and was unanimously approved by all five board members.

7. OLD BUSINESS

Chairman Dixon reminded the board that, at its previous regular meeting, it approved an emergency expenditure of \$7,500 to the City of St. Augustine for removal of floating dock debris from the Matanzas Bay area. He said the amount of debris finally collected far exceeded expectations, so he verbally approved an additional \$6,000. Jim Piggott, City of St. Augustine, said the District's donation of \$7,500 is \$15,130 short of paying for the debris removal. Mr. Piggott said cleaning up the floating docks required the use of two city workers for nearly a month and much more contractor expense than was expected to collect the estimated four hundred tons of debris. He said the debris is unmarked and that it was not possible to identify where it had come from. The city also had to spend over \$40,000 to dispose of debris.

Responding to questions from Vice-Chairman Benjamin, Ms. Kemper said the additional expense would need to be paid from reserve funds, as it was not a budgeted item.

Chairman Dixon said the debris was a hazard to navigation and that local waters are the District's main responsibility. Commissioner Helman said the city was doing the District's work in clearing the debris. Commissioner Rivers and Commissioner Way said they also supported the expenditure. Mr. Piggott said the Lighthouse Ramp and the Vilano Ramp were used as collection points and that both had been full with debris.

A motion by Commissioner Rivers to provide an additional \$15,120 to the City of St. Augustine for the removal of floating dock debris was seconded by Vice-Chairman Benjamin and passed unanimously.

Mr. Piggott asked Ms. Kemper if the District could pay the contractor directly and she replied that it could.

Mr. Piggott then reminded the board that the city needs to alter the use of use funds the District previously approved for the kayak launch and the city fireboat. These total \$150,000 which the city wants to use now for matching funds to repair the City Marina in conjunction with funds from the Florida Inland Navigation District. Chairman Dixon said he would support the change of use for the funds but that any future funding of the kayak launch or fireboat would be treated by the board as a new request, subject to renewed consideration. Carl Blow, St. Johns County FIND Commissioner, said the city had requested to extend the two FIND grants in question, and that the extension could continue to reserve the funds for as long as three years.

A motion by Commissioner Way to allow the City of St. Augustine to use the \$150,000 previously committed for the kayak launch and fireboat, to repair Hurricane Irma damage to the City Marina was seconded by Commissioner Helman and passed unanimously.

Linda Ginn, Friends of Summer Haven River, said their entire board was in attendance to underscore the need for immediate work to protect the restoration project. She said the county should be required to reimburse the three hundred fifty thousand dollar cost of closing the Hurricane Matthew breach, as the money was intended for the restoration project and is needed to complete the work. She said FIND also benefitted from the breach closure because the work prevented sand from flowing into the Intracoastal Waterway. Carl Blow said the recent dredging project at Matanzas Inlet cost FIND almost four million dollars. Mrs. Ginn said that investment was put in danger by the breach and the District saved FIND money by protecting the IW.

Mrs. Ginn said the District again assisted the county after Hurricane Irma by placing sand on the right-of-way of County Road Old A1A and that the total of restoration project funds spent to assist the county is about \$560,000. She said FIND has refused the request for financial assistance with the repair work and that funds from FEMA are not yet available through the county.

Commissioner Way questioned whether the money spent to close the Hurricane Matthew breach can be considered a loan. Mrs. Ginn said the county requested help from the District and promised to repay the cost, eventually saying it would seek FEMA funds for the costs. Mrs. Ginn said the restoration project is not nearly complete, that the river is still full of sand, and that much sand was lost during Hurricane Irma.

Ellis Zahra, FOSHR, said Old A1A was reinforced in 1964 with the addition of rip-rap from Marineland to Matanzas Inlet, but that most of it has been lost since then. Mr. Zahra said he believes the District has advanced no money for the restoration project. He said he will be attending the upcoming local legislative committee meeting to request legislators to introduce a bill reimbursing the District for these hurricane-related expenses at Summer Haven. If legislation is passed, the money will not be available until July, 2018. He added that FIND denied the District's request for emergency financial assistance citing the ineligibility of the project under FIND's guidelines. He said FIND also has an emergency storm damage fund from which the District may possibly obtain assistance. He added the project design was to prevent a breach in normal weather and that two hurricanes in successive years had simply overwhelmed the construction.

Carl Blow said the Summer Haven River situation is unfortunate but that, as merely the sponsor, FIND has little control over the federal contract to dredge. He said FIND maintains a hurricane disaster budget item from which the district may be able to obtain some financial relief. He said FIND's refusal to help the District is unfortunate timing because the contractor will be de-mobilized within two weeks. He said he could put Chairman Dixon on the agenda if he wanted to make a presentation to the FIND board.

Ellis Zahra said demobilization will consume even more funds because the contractor will need to re-mobilize next time. Commissioner Way asked Mr. Blow if he was surprised by FIND's denial. Mr. Blow said FIND already funded the relocation of sand to Vilano Beach after Hurricane Matthew and changed the Matanzas Inlet project to place sand on Old A1A after Hurricane Irma. Also, FIND is receiving a large number of requests for assistance from other east coast counties. He said FIND's emphasis continues to be Intracoastal Waterway projects and navigation, not beach renourishment, and that is probably the reason for the denial.

In response to comments from Chairman Dixon, Mr. Blow said it would be very difficult to determine whether sand from the breach would have actually made it into the Intracoastal and that the testing needed to determine such a possibility would probably be prohibitively expensive. Mr. Zahra said the District's letter requesting assistance from FIND had cited the possibility of sand getting washed into the Intracoastal, and the fact that re-opening the river would restore public access to the river.

Commissioner Way and Commissioner Helman each commented the county should pay the cost of repairing the breaches because it was county road right-of-way. Mike Trudnak said Taylor had co-ordinated responses by the District, St. Johns County, the Corps of Engineers, and FIND to close the breaches, but that there was no written request for such assistance, only verbal.

Chairman Dixon said the breach had to be closed to protect the restoration project. Mr. Zahra added the county later passed a resolution seeking FEMA funds and committing to pay one-eighth of the total cost, but did not offer to paying anything at this time.

In response to comments from Commissioner Way, Mr. Trudnak said the beach along Old A1A has had multiple overwash episodes since Irma and that the winter storm season will continue to threaten the project. He said for now, the berm is holding up well but its future will depend upon the weather. He said the project lost a lot of sand during Hurricane Irma and that the project is nearly out of easily-accessible sand.

Chairman Dixon asked Mr. Trudnak about the cost of a solution. Mr. Trudnak said sand is still available by truck from the SJ-1 site owned by FIND, but the cost will probably be high because of the distance it would be hauled. He said the contractor is willing to leave some costs unbilled, as well, but that bad weather could again destroy the berm.

Mr. Blow inquired whether the District had received a check for the \$50,000 grant FIND awarded. Mr. Trudnak said all they needed was proof of payment to the contractor. Ms. Kemper said she had already provided paid invoices to FIND. Mr. Helman asked Mr.

Trudnak how much it would cost to move the 20,000 cubic yards of sand from the river to the berm site. Contractor Rick Turnbull said there is enough sand available from the river to work for two more weeks. After that, sand could be trucked from the SJ-1 Site for about \$15.00 per cubic yard. In response to a question from Mr. Turnbull, Mr. Zahra said FEMA funds were not yet available and that any payment from FEMA would be paid first to the county and then to the District.

Chairman Dixon asked Ms. Kemper how much was in reserves. Ms. Kemper said reserves are about 1.6 million dollars, but that all of the budget for fiscal year 2017-2018 is already slated for projects and that there would be no more money to add to reserves until a reimbursement from the county is made for the breach closure.

In response to questions from Commissioner Helman, Mr. Trudnak said the project had lost about 100,000 cubic yards of sand which will cost about \$15 per cubic yard to replace, in addition to the cost to retrieve the rest from the restoration site. Mr. Trudnak said the goal of the project has been to build a suitable dune and plant it with sea oats, and that a total of 200,000 yards is needed for that. The cost is about \$5 per cubic yard to get sand from the river, and \$15 per yard from SJ-1. Mr. Turnbull said there is more sand at the west end of the river but that area is outside the permitted project area. He said \$350,000 would be necessary to safely stabilize the dune system for the winter and get it planted.

Commissioner Helman said he feared the sand will get washed away again during the winter. Commissioner Rivers said the board needs to see an affordable plan at the next meeting. In response to questions from Commissioner Helman and Commissioner Rivers, Mr. Trudnak said there is no way to absolutely stabilize the berm except building a sea wall, and that would probably not receive a permit because of environmental concerns. Carlos Aviles, St. Augustine Fire Department, said emergency mitigation money is available from the state and that the state is now holding sixty million dollars in FEMA assistance funds.

Chairman Dixon asked Mr. Trudnak to work on a plan for presentation at the next meeting and cautioned that not much money is available. The board generally expressed that the cost to repair the berm appears to be very great and that the possibility of more damage is great, even after repair. Discussion concluded with Chairman Dixon expressing concern over the time and expense to the District of the project, and Commissioner Way expressing that some stop-gap measure appeared to be needed to save the project.

8. NEW BUSINESS:

A. St. Augustine Yacht Club.

Dan Floryan, St. Augustine Yacht Club, said his organization is requesting \$5,500 in assistance this year for the annual Regatta of Lights. Ms. Kemper said the board already budgeted \$5,000. Commissioners all said they would support the budgeted amount, which Mr. Floryan accepted.

A motion by Commissioner Helman to fund the 2018 Regatta of Lights with \$5,000 was seconded by Commissioner Way and unanimously approved.

B. St. Johns County Marine Unit - Corporal Josh Underwood

St. Johns County Sheriff's Office Corporal Josh Underwood asked that this item be tabled until the next meeting. His request was granted by Chairman Dixon.

C. Discussion Regarding District Expansion - Commission Rivers

Commissioner Rivers reported he met with representatives of the Ferrantino Group and St. Johns County Commissioner Paul Waldron to discuss the possible expansion of the District county-wide. Lobbyists said their initial discussions with state legislators were very tentative and that legislators recommended having a legislative committee study the idea before going forward because of some sentiment in the legislature now to eliminate all special districts. Commissioner Rivers said he believes the St. Johns County Board of Commissioners would support the expansion. Chairman Dixon said most other special districts are county-wide and that the legal environment has changed so much since the District was formed that a larger district would be more effective.

9. GOVERNMENT REPRESENTATIVE COMMENTS:

Cpl. Josh Underwood, St. Johns County Sheriff's Office, reported his agency last month spent 112 man-hours on local waters, responded to 42 calls, issued 3 warnings and performed 8 inspections, located 2 derelict vessels, responded to 6 distress calls, and recovered several dozen pieces of debris from Hurricane Irma. His unit also participated in a boat show in Sawgrass, the Ancient City Kids Day event, will help staff the upcoming NAS Air Show, and is continuing to promote the free life jacket loaner program for children. He thanked the board for donating the unit's jet-dock which, thanks to its portability, was able to be moved out of the City Marina prior to Hurricane Irma, thus preventing any damage to it.

FIND Commissioner Carl Blow discussed the need to find a sand source for beaches north of the St. Augustine Inlet. He said the District should ask its engineers to talk to FIND and the Corps of Engineers about using the inner harbor of Matanzas Bay as a sand source rather than going offshore. He said periodic renourishment of St. Augustine Beach is about to commence and that the concern among many residents will be the need for sand placement on Vilano Beach and South Ponte Vedra Beach, rather than south beaches. He said funds are needed for studies to determine if and how much sand would be useful and available for beach renourishment from the inner harbor.

Lt. Steve Zukowski, FWC, said his agency deployed 130 officers to Houston, Texas after Hurricane Harvey, then sent some of his unit to Black Creek in Clay County during Hurricane Irma, then to the Florida Keys where the devastation was extreme. He said they engaged in support work among the residents remaining in the middle Keys. The FWC boat lift at the City Marina did not survive Hurricane Irma and will be replaced when the Marina is rebuilt.

Locally, he reported rip currents remain strong because of the wind, and the seasonal shrimp fleet has returned. His unit recently received two rebuilt inflatable boats that will be used to inspect vessels at sea. In response to a question by Commissioner Helman, Lt. Zukowski said it appears the red snapper season will remain closed for at least another year.

10. PUBLIC COMMENT: NONE

11. COMMENTS BY COMMISSIONERS:

Commissioner Helman said he has sympathy for the people of Summer Haven because, while the board is willing to help, the money required to dredge is too great for the agency to fund. Chairman Dixon said the Hurricane Matthew breach had to be closed or it would easily have doubled the size of the Summer Haven River restoration project. Commissioner Way said closing the breach in 2008 would have been easy but the Florida Department of Environmental Protection denied the county's request to do so. Vice-Chairman Benjamin said it could have been closed for less than ten thousand dollars. Commissioner Helman thanked Commissioner Rivers for his continuing effort to expand District boundaries.

12. NEXT MEETING

Chairman Dixon announced the next meeting of the board will be held at 3:00 p.m. on November 21, 2017 in the St. Augustine Beach City Commission Room.

ADJOURN:

There being no further business, Chairman Dixon adjourned the meeting at 5:30 p.m.

Secretary-Treasurer

Chairman

wk/rg/port/minutes-2017/Minutes 10-17-17 meeting