

ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT

MINUTES OF REGULAR MEETING

Tuesday, March 18, 2014

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, March 18, 2014.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Chairman Herb Rippe, Commissioners Barry Benjamin, and Jay Bliss were in attendance. Vice-Chairman Chuck Hennessey arrived at 3:50 p.m. Commissioner Jerry Dixon was absent. The meeting was also attended by Ken Craig of Taylor Engineering, and Secretary-Treasurer Elyse Kemper.

SECRETARY-TREASURER'S REPORT

Secretary-Treasurer Kemper delivered the report. Funds available for use as of February 28, 2014 totaled \$2,160,346 and committed funds were \$589,099. Net available funds as of that date were \$1,559,204, held by the Florida Board of Administration and by BB&T Bank. Tax revenue received to date is \$332,406 with \$44,338 expected. Chairman Rippe confirmed with Ms. Kemper that the amount previously shown for committed dredge funds for the City of St. Augustine had been reduced from \$610,000 to \$370,917, as discussed in last month's meeting.

APPROVAL OF MINUTES

Commissioner Jay Bliss moved to approve the minutes of the February 18, 2014 regular meeting and Chairman Rippe seconded the motion. The minutes were unanimously approved.

Chairman Rippe said he requested District Counsel Bedsole to add "action" items at the end of the minutes so that items needing follow-up could be monitored. He said all of last month's action items had been completed with the exception of the report from Steve

Zukowski of Florida Fish and Wildlife Conservation Commission (FWC), who was not present. Commissioner Bliss said the action item list was helpful.

ENGINEERING REPORT

Ken Craig of Taylor Engineering delivered the engineering report. He said the administrative hearing on the Clements complaint was still in progress. Both Dr. Schropp and District Counsel Bedsole were at the hearing, but he had not received any updates.

OLD BUSINESS

A. Discussion of funding application - Vice-Chairman Hennessey

Detailed discussion and approval of the application was tabled until next month's meeting so all commissioners could have input. Vice-Chairman Hennessey provided a brief overview of the workshop, which was attended by Chairman Rippe, Vice-Chairman Hennessey, District Counsel Jim Bedsole, Secretary/Treasurer Elyse Kemper and consultant Ken Krauter. Hennessey said that instead of using a point system, the application will list project areas supported by the District, and applications will be ranked on how they accomplish them. Questions regarding revenue-sharing and requiring a post-project completion report were also added to the application.

The schedule coincides with the Florida Inland Navigation District's (FIND) schedule so applicants will meet the matching-funds requirements of FIND. The applicant will also be asked how much it will contribute to the project.

December 1st will be the deadline to submit applications. The District Secretary will advise the applicant of any missing documents and applicants will have until January 2nd to re-submit applications. At the January meeting, applicants will make a presentation and the Board may request additional information.

For mid-cycle funding requests, Vice-Chairman Hennessey said the application deadline is April 1, with May 1 being the deadline to complete missing requirements. The applicant will make its funding presentation at the June meeting.

On a motion by Chairman Rippe, seconded by Jay Bliss, the Board voted unanimously to place the application on the District's website, identified as "Proposed Application for Assistance Schedule", for viewing by the public.

B. Discussion of potential new Port projects - Chairman Rippe

Chairman Rippe provided a list of potential projects for the Board's consideration and asked Secretary Kemper to add discussion of this project list on the agenda for the next meeting. He suggested that each commissioner review the list prior to the meeting, using a 20-point ranking system for each project.

NEW BUSINESS

A. Briefing regarding the Medallion Program - St. Augustine Harbor Master Sam Adukowitz

At the request of Commissioner Bliss, Harbor Master Sam Adukowitz spoke about the Medallion Program established 2 years ago. The goal of the program is to inform and educate boat owners about regulations, rather than writing citations for non-compliance. So far, no citations have been written, and there is currently only one vessel in the program. The program notifies boat owners if their moored vessels are in danger from storms. There has been a decrease in the number of derelict vessels since the program started.

The program requires vessels to anchor at least 50 feet from docks and marine structures and 100 feet from a mooring field. Owners are required to bring their boats to the City Marina twice a year for inspection. Owners must provide contact information and indicate where the boat will be kept. The boat will be given a 6-month decal and will be inventoried and checked monthly.

Compliance requirements include \$300,000 in general liability insurance, boats must operate on their own power, have current registration, and be seaworthy.

B. Overview of Safe Harbor Mooring Proposal - Commissioner Bliss

Commissioner Bliss provided a handout regarding his proposal for offering safe harbor for boaters during tropical storms. He suggested the District establish a program, which would pay for mooring charges and possibly provide temporary insurance to boats during a storm. Insurance requirements and fees could be paid by the District.

Jim Piggott, City of St. Augustine, said there are several problems. One is, the mooring field is rated up to a Category 1 Hurricane. The City will evacuate all the moored boats if a hurricane is predicted.

Commissioner Benjamin warned that the Port would incur liability for damage potentially caused by these boats. He said insurance companies routinely discontinue issuing insurance prior to storms and that it is common for local marinas to request that moored boats be moved to safe locations. There are several areas considered safe harbors to accommodate boats during a storm, like the San Sebastian River. Mr. Adukowitz said the City periodically sends out notices to owners reminding them to maintain insurance, and to familiarize themselves with safe harbors.

Commissioner Rippe suggested that District Counsel Bedsole look into the feasibility of the District's participation in such a program, and what liability the District could have.

PUBLIC COMMENT

Neil Orminjohn of Matanzas River Keeper introduced himself and discussed the purpose of the River Keeper Association. Organized in January, 2014, their purpose is to preserve and

protect water quality of the river and keep shellfish beds healthy. They work with the City of St. Augustine, St. Johns County and FWC to accomplish this. They will soon have a boat for waterway monitoring.

Orminjohn said their main concern is the health of shellfish beds and making sure they are protected. He said local waterways have some of the most pristine shellfish areas in Florida. It is very difficult to re-open shellfish beds once they have been closed. This is because the Florida Department of Agriculture does not have funds to re-test areas once they have been closed, so maintaining healthy beds is important.

The organization intends to monitor water treatment plants to assure they meet water quality requirements. Shore development is also monitored because of run-off. They also have offered public comment relating to seismic testing, which will be conducted along the east coast to map oil and gas deposits. The River Keepers have asked to extend the public comment period because of the volume of information.

Lt. Steve Zukowski, FWC, said there were no boating accidents to report. The Blessing of the Fleet will be held April 13 and FWC will be handling traffic control.

There are two derelict vessels in the county. One is the 29 foot sailboat Columbia north of Comache Cove. The owner has not responded to initial warnings and Officer Pedonti will be filing charges. Another 30 foot sailboat is north of the Vilano Bridge and will be marked with a placard and a 30-day notice.

FWC has changed its procedure for handling derelict vessels. An officer will initially investigate and report, but follow-up will be done by an investigator. This will relieve the officer to continue on patrol.

Chairman Rippe said 100 derelict vessels have been removed from local waters to date, which attests to the success of the program and the diligence, support and cooperation of FWC, City of St. Augustine, St. Johns County and the District. He invited Peter Guinta of the St. Augustine Record to come to our meeting and interview officials from these groups so the community can be made aware of their success. He said Commissioner Bliss' support and encouragement had led to the development of this program.

Commander Steve Fricke, St. Augustine Police Department, said the success of the program was largely attributable to the District's support and cooperation. He said commissioners have been good stewards of taxpayer money. He also acknowledged the support of St. Augustine Marina, which offers its services when needed.

Lt. Zukowski said FWC officials recently met with ornithologists regarding the least tern mitigation plans for Summer Haven. He said they will be testifying at the administrative hearing today. He has attempted to contact the US Fish and Wildlife Service regarding its review of the permit for Summer Haven restoration, but has heard nothing from them. Chairman Rippe said this fulfilled the remaining "action item" in the previous month's minutes.

FWC is still experiencing problems with red snapper dumping offshore, mostly due to the easily recognized FWC inflatable boats. They ticketed fishermen near Pellicer Creek and Princess Place Preserve for undersize redfish and black drum.

COMMENTS BY COMMISSIONERS

Commissioner Bliss said he would like the Board to consider how to expand the district in the county, and include ownership of land. He mentioned as an example the land north of Luhrs on Iroquois Blvd., which was sold by John Luhrs for \$250,000, and included a dock. The District should be looking into opportunities to purchase real property to allow public access to the San Sebastian River. This would benefit taxpayers by lowering the local match ratio for cost-sharing with FIND. He suggested using eminent domain to obtain land suitable for access.

Chairman Rippe agreed with Commissioner Bliss and said water access ranks high on his list of projects. He said he will contact FIND Commissioner Carl Blow to discuss his knowledge of lands suitable for purchase for public access. He suggested District Counsel look into exactly how “public access” is defined and whether it included docks and marinas.

NEXT MEETING

Chairman Rippe announced the next regular meeting will be held on April 15, 2014 in the same location.

ADJOURN:

There being no further business, Chairman Rippe adjourned the meeting at 4:28 p.m.

Secretary-Treasurer

Chairman

ACTION ITEMS:

- 1. Secretary Kemper will add discussion of potential projects provided by Chairman Rippe and of the proposed Application for Assistance to the agenda for the next month’s meeting. She will also post the Application on the District’s website.**
- 2. District Counsel will look into pros and cons of District’s involvement in a safe harbor program, such as that proposed by Commissioner Bliss.**

- 3. Each Commissioner will review the list of potential port projects and rank them, and be prepared for discussion at the next meeting.**
- 4. Chairman Rippe contact Carl Blow of FIND regarding lands suitable for purchase.**
- 5. District Counsel will advise the Board regarding the term “public access” as it is used in matching funds calculations.**

wk/rg/port/minutes-2014/3-18-14 meeting