

ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT

MINUTES OF REGULAR MEETING

Tuesday, October 18, 2011

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 18, 2011.

CALL TO ORDER

Vice-Chairman Tom Rivers 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

Vice-Chairman Tom Rivers, Commissioners Barry Benjamin, Herb Rippe and Jay Bliss were in attendance. Chairman Jerry Dixon was absent. The meeting was also attended by: District Attorney James Bedsole, Dr. Steve Schropp and Dr. Rajesh Srinivas of Taylor Engineering.

SECRETARY-TREASURER'S REPORT

District Attorney Jim Bedsole delivered the Secretary/Treasurer's report prepared by Elyse Kemper. Funds committed as of September 30, 2011 were \$406,370.00, of which \$260,715.00 have been spent. Funds available after deductions for committed funds and funds held by the Florida Board of Administration total \$1,538,907.00. Of budgeted tax revenue for the 2010-2011 fiscal year of \$394,516.00, all but \$3,711.00 has been received. As of October 13, 2011, net funds available were \$1,535,085.00.

Chairman Dixon arrived at 3:05 p.m.

APPROVAL OF MINUTES

On a motion by Commissioner Benjamin, seconded by Commissioner Bliss, the Board unanimously approved the minutes of the September 20, 2011 regular meeting.

Vice-Chairman Rivers moved to approve the minutes of the August 4, 2011 Special Meeting. Commissioner Benjamin seconded the Motion.

Commissioner Bliss requested an addition to the minutes which was accepted by the Board.

The Board then unanimously approved the minutes of the August 4, 2011 Special Meeting, as so amended.

On a motion by Commissioner Bliss, seconded by Vice-Chairman Rivers, the Board unanimously approved the minutes of the September 8, 2011 First Public Hearing on Budget and Millage Rate.

On a motion by Commissioner Bliss, seconded by Commissioner Benjamin, the Board unanimously approved the minutes of the September 20, 2011 Final Public Hearing on Budget and Millage Rate.

ENGINEERING REPORT

Dr. Steve Schropp delivered the engineering report on behalf of Taylor Engineering. Dr. Schropp began by offering a hard copy of the Summer Haven River Restoration Technical and Regulatory Feasibility Assessment for the District's records. He then discussed the possibility that St. Johns County will become the sponsor and applicant for the permit to restore the Summer Haven River. He said an official applicant is necessary before proceeding with drafting the application proposal.

In response to questioning by Commissioner Dixon, Dr. Schropp said he had no recent information as to when dredging of the ICW adjacent to the inlet will begin. Dr. Srinivas added the inlet dredging project will be put out to bid within a matter of days. He also said turtle season would not present a problem because the nesting season will be over by the time dredging begins.

Chairman Dixon said he was recently contacted by an official from the Florida Department of Environmental Protection (FDEP), who wanted to discuss whether the District would update the Inlet Management Plan (IMP). He recounted the District had offered to update the plan as a part of a proposed settlement which would have allowed FDEP to issue the inlet dredging permit without an objection from property owners north of the inlet. That settlement offer was rejected by the objectors, and the Board was therefore not compelled to update the plan. After the first proposed settlement failed, St. Johns County and FDEP reached a new agreement wherein they jointly agreed to update the IMP. The District was not a party to these later negotiations and the Board did not agree to such an update. He added that FDEP plans to hold two public hearings on beach erosion, possibly in December and January.

Chairman Dixon said the litigating property owners want inlet dredge sand placed on the north beaches and that the IMP calls for placement to the south of the inlet only. Dr. Srinivas remarked that the plan actually calls for sand to be placed in the location of greatest need. He said nothing in the plan requires sand to be placed in the south but that placing it north of the inlet will drastically change the cost/share ratio of local to federal funds. He added FIND should be concerned about the buildup of sand in the inlet because much of it moves into the ICW and becomes a maintenance issue for FIND.

Commissioner Rippe questioned why, if dredging the inlet costs 20 million dollars, could not a small amount of that money be spent to revise the IMP. Dr. Srinivas said the current permit and funding are for beach renourishment only by the Corps of Engineers. He said in the past, the state had money available for projects like the IMP revision, but probably does not now. Commissioner Rippe said the District should ask the county and FDEP for funds to update the IMP because they agreed to do it, not the District. Dr. Schropp said he thought asking for IMP update funding was a fair and reasonable thing to do, but that there was little likelihood any such funding exists.

Commissioners Rippe and Benjamin concurred, the IMP has needed revision for a long time. Commissioner Rippe asked who would ask the State for the money. Chairman Dixon said he would ask when he sees the FDEP administrator soon.

Commissioner Rivers said the Board has placed \$75,000.00 in its new budget for revision of the IMP. Dr. Srinivas said the typical contribution by the state would be one-half of the total cost of up to 250 thousand dollars.

OLD BUSINESS

District Attorney Bedsole presented a contract renewing the District's interlocal agreement with the St. Johns County Sheriff's Office for overtime pay for their maritime unit. Mr. Bedsole said the contract applies to the 2011-2012 fiscal year and provides \$15,000.00 for such uses.

On a motion by Commissioner Rippe, seconded by Commissioner Benjamin, the Board unanimously approved the St. Johns County Sheriff's Office 2011-2012 Interlocal Agreement.

Commissioner Rippe then opened discussion of the District's support of the Vilano Floating Dock, planned by the county and funded in part by FIND. Commissioner Benjamin said the proposed cost was exceedingly high for such a project. Wil Smith, County Parks & Recreation, said the project's cost was estimated at \$320,000.00 by their engineer. The FIND grant is for half the cost and the county expects the District to fund the other half. He added the county has agreed to return any unused portion of the funds to the District at the end of the project. Commissioner Rippe, joined by Commissioners Benjamin and Bliss, said the county should be asking local Vilano Beach businesses to contribute to the construction cost.

NEW BUSINESS

A. Inlet Channel Monitoring Over-View

Commissioner Bliss said there is a need for an agency to monitor inlet depths and provide the information to the public, particularly to mariners. He said neither the Corps of Engineers nor the Coast Guard has the resources to provide this information and that the District should do it. He estimated the cost at \$300.00 per month.

In response to a question by Commissioner Benjamin, Lt. Steve Zukowski, Florida Fish and Wildlife Conservation Commission (FWC) said such information would be of use mostly to large transient vessels and that failure to exercise prudent seamanship is a much larger factor in the recent groundings than lack of information.

Commissioner Rippe suggested the District promote the use of its website as an informal forum for inlet information sharing. He said the District's main job is to promote St. Augustine as a maritime center and that facilitating use of the inlet is an effective way to achieve that goal.

Commissioner Rivers asked Dr. Schropp if monitoring the depth of the inlet was part of the IMP. Dr. Schropp said inlet depth data is very difficult and expensive to obtain and that, if the Board chose to provide such information, it should be obtained by a professional surveyor.

Pierre Pierce, St. Augustine, related that the fishing boats which ran aground on the inlet shoals last year did so because of misplaced markers, not because of a lack of seamanship.

LCDR Robert S. Butts, USCG, said the inlet is not maintained on any regular cycle by the Corps of Engineers and that the Coast Guard has had difficulty maintaining its markers because of problems with its buoy-tending vessels. He added that the inlet needs a long-term program for improvement including a larger jetty and regular dredging.

Dr. Schropp said the only available charts are published by the National Oceanic and Atmospheric Administration (NOAA), but that those charts have no depth data because NOAA cannot vouch for accuracy.

Commissioner Rippe said the inlet has not been dredged since 1999 and that it appears to have been safe until 2009. He said the District should publicize the location of the newly-cleared channel once the planned dredging is completed.

B. St. Augustine Yacht Club Regatta of Lights

Vice Commodore Dan Floryan of the St. Augustine Yacht Club requested \$6,750.00 to fund the Regatta of Lights scheduled for December 10, 2011. Commissioner Benjamin asked what the District would receive in consideration for funds. Mr. Floryan said the District's logo will appear on all brochures and ads, on its tent, and will receive recognition on all of its radio ads and live broadcasts.

On a motion by Commissioner Rivers, seconded by Commissioner Bliss, the Board unanimously approved payment of \$5,000.00 to the St. Augustine Yacht Club for advertising in conjunction with the Regatta of Lights.

Commissioner Bliss nominated Commissioner Benjamin as the District's 2011 member of the Regatta judge's committee. Commissioner Benjamin accepted.

Commissioner Rippe said he has been contacted by managers for the tallship *Bounty*. They plan to bring the ship to St. Augustine in April, 2012 and he believes visits by this kind of vessel would be of great benefit to the community.

PUBLIC COMMENT

Jim Piggott, Director of General Services for the City of St. Augustine, reported he attended a meeting at FWC headquarters in Tallahassee to review the five designated pilot plans for harbor management. He said the St. Augustine plan compared very favorably with the others and that he had received positive feedback about the plan.

The pilot ordinance regulates anchoring near docks, around the mooring fields and outside mooring fields while within City limits. Commissioner Bliss said he is against any further restrictions on a mariner's right to anchor in open waters.

Mr. Piggott said the restrictions placed on boaters by ordinance actually affect very few boaters because most are in marinas, are moored in City fields or are legally anchored in areas outside city limits. He asked the Board for a letter of support for the Harbor Management Plan and for the ordinance.

Commissioner Benjamin moved to provide the requested letter of support to the City of St. Augustine. Commissioner Rivers seconded the motion.

Commissioner Rippe said he was not in favor of supporting the pilot program simply because he had very little knowledge of the ordinance or its effects on the public. Chairman Dixon said there are so many boats here now that some regulation of anchoring is a necessity. Commissioner Bliss said the current situation does not require such regulation and that the City is simply attempting to generate rental revenues for its mooring fields. Commissioner Benjamin said the harbor management system has created a safer environment, especially during storms such as recently occurred.

On a roll call vote, the Chairman was authorized by a vote of 3 to 2 to provide a letter of support for the pilot ordinance. Commissioners Rippe and Bliss voted against the motion.

Mr. Piggott then mentioned an upcoming series of foot-races planned for December 10 and 11. He also asked Board members to contact the City to report derelict vessels, and to avoid contacting contractors directly unless they are willing to personally pay for any services a contractor may provide as a result of such a direct request by a member of the Board.

He then discussed a recent visit to the City by an administrator from FWC who was investigating the derelict vessel removal program. Lt. Zukowski, FWC, said the civilian overseer of FWC was under the impression the Board had objections to the City's derelict vessel program, largely based on a letter from Commissioner Bliss. Commissioner Bliss said he had not intended to give FWC the impression his personal objections were those of the Board. Chairman Dixon said that commissioners should make it clear to anyone they address that they are speaking as an individual and not on behalf of the Board.

Lt. Zukowski went on to report on the status of new idle speed zone signs for the Vilano, Lions and 312 Bridges. He also reported on a recent marine hit and run accident and fishing conditions.

COMMENTS BY COMMISSIONERS

Commissioner Bliss reported there are 150 live-aboard boats in marinas on the San Sebastian River and that there is no organized alternative for sanitation other than pump-outs. He also questioned the registration of boats moored at marinas. Lt. Zukowski said all vessels using waters of the State are required to be registered if here for more than ninety (90) days.

NEXT MEETING

The Chairman announced the next regular meeting is scheduled for Tuesday, November 15, 2011, at 3:00 p.m. in the same location.

ADJOURN:

There being no further business, Chairman Dixon adjourned the meeting at 6:00 p.m.

Secretary-Treasurer

Chairman