

ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT

MINUTES OF REGULAR MEETING

Tuesday, December 18, 2012

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, December 18, 2012.

CALL TO ORDER

Chairman Jerry Dixon 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 Jerry Dixon, Commissioners Herb Rippe, Jay Bliss, Barry Benjamin and Chuck Hennessey, were in attendance. The meeting was also attended by District Counsel Jim Bedsole, Dr. Steve Schropp of Taylor Engineering and Secretary-Treasurer Elyse Kemper.

SECRETARY-TREASURER'S REPORT

Secretary-Treasurer Elyse Kemper reported that as of December 14, 2012, the District has net funds available for use of \$1,630,741 less \$5,000 paid to the Yacht Club for the Regatta of Lights advertising spots. Total projected tax revenue for the 2012-2013 fiscal year is \$370,155, with \$16,695 of that still to be received. In this fiscal year, the District budgeted \$243,215 as committed funds, of which \$10,418 has been spent, and of budgeted operating expenses of \$133,400, \$23,764 has been spent. Also, uncommitted funds of \$23,715 have been spent on the U.S. Army Corps of Engineers' request for reimbursement of the 2000 Salt Run Feasibility Study. This makes a total of \$62,897 in District funds spent to date in fiscal year 2012-2013.

APPROVAL OF MINUTES

There were no minutes available for review.

ENGINEERING REPORT

Dr. Steve Schropp delivered the report on behalf of Taylor Engineering. Dr. Schropp said a replacement sign for one of the markers in Salt Run has come in but has not been installed by the contractor. Commissioner Dixon questioned whether another contractor might act more quickly. Commissioner Rippe said the delay in action by contractors can cost the District money in wasted material. Dr. Schropp said there are few contractors available for small jobs such as this and that a larger package, such as replacing many markers, would draw more bidders. Commissioner Bliss said lack of marine equipment limits most contractors.

Dr. Schropp said he met with regulatory officials this month and submitted a revised template for the beach and dune area of the Summer Haven River restoration project. He expects further inquiries from both DEP and FWC after the first of the year and will respond accordingly.

He then discussed an amendment to Taylor's existing contract involving a new rate schedule previously provided to commissioners.

Commissioner Benjamin made a motion, seconded by Chairman Dixon, to approve the new rate schedule for Taylor Engineering.

Commissioner Rippe began discussion by pointing out the new rates represent an increase even though District revenues are decreasing yearly. Dr. Schropp then explained each line item in the amendment. Commissioner Benjamin said the actual increase in annual expense to the District would be a few hundred dollars. Commissioner Hennessey questioned whether the District was required to request proposals or bids for these services. District Counsel Jim Bedsole advised Commissioner Hennessey that the District was not considered a State agency and was not required to solicit bids under competitive bidding laws.

Dr. Schropp reminded commissioners that Taylor does not charge for attending monthly meetings. Commissioner Bliss said Taylor is a premier marine engineering firm and he appreciates their attending meetings free of charge. Commissioner Rippe agreed that Taylor does a great job for the District.

On a roll-call vote, commissioners unanimously approved Schedule A (2013 Revision) for Amendment No. 43 to the Taylor Engineering contract revising rates.

Responding to a question by Commissioner Rippe, Dr. Schropp said the new Inlet Management Plan under development by the Department of Environmental Protection is still under internal review by that agency and that it remains DEP's intention to present the new IMP to District commissioners after the review is complete.

OLD BUSINESS

A. Dolphin Drive dredge amendment to budget.

District Counsel Jim Bedsole presented a written resolution amending the 2012-2013 budget

to allow for the payment of \$35,750 to the City of St. Augustine for dredging the entrance channel of the boat basin at Dolphin Drive. Jim Piggott, City of St. Augustine, explained the City already has a permit and that it will oversee the job and payment of the contractor. Commissioner Bliss asked how the cost was determined. Mr. Piggott said it was based on a figure provided by Tim Ford and F&A Marine. He did not anticipate the cost going over that amount and it may be less upon completion. The resolution was approved at the District's regular meeting on November 20, 2012.

B. Salt Run Feasibility Cost Share Amendment to Budget.

District Counsel Jim Bedsole presented a written resolution amending the 2012-2013 budget to allow \$23,715 to be paid to the U.S. Army Corps of Engineers for matching funds due under the Salt Run Feasibility Study Agreement dated September 8, 2000. The resolution was approved at the regular meeting of November 20, 2012 and was executed by the Chairman and Secretary.

C. Commission Handbook Update - Ken Krauter.

Ken Krauter presented commissioners with updated handbook information and discussed the areas receiving updates. Commissioners thanked Mr. Krauter and requested he provide a copy to Commissioner Hennessey.

NEW BUSINESS

A. City of St. Augustine-Request for funding of new motor-Commander Steve Fricke.

Commander Steve Fricke, St. Augustine Police Department, explained that the only marine patrol boat owned by the City has lost its 3000 hour engine and has agreed to have a new engine with all attachments installed by the Homeland Security garage for \$24,332, pending approval of funding by the District. He added that for many years, the District provided the City with a supplement of about \$25,000 per year for overtime pay for marine officers which is largely unnecessary now because the City has a full-time marine officer paid for through the City. He said a used motor possessed by the City will not fit their patrol boat and that Homeland Security's price is very good.

Commissioner Dixon said the District relies on the City for derelict vessel removal and other enforcement activities, such as supervision of eighty percent of county boat ramp traffic. Commissioner Bliss said the City should have been setting aside money to repair their only patrol boat, especially since it must monitor the new mooring fields. Commander Fricke said the mooring fields are operated as a totally separate function from the Police Department and no money is available because this cost arose after the beginning of the new budget year.

Commissioner Benjamin suggested the City sell the used motor now in storage and give the proceeds to the District. Commander Fricke agreed to do that.

Commissioner Hennessey suggested the money might be loaned to the City and repaid later. Commissioner Rippe suggested taking the money budgeted for City Police overtime pay and using it for this expense.

A motion by Chairman Dixon, seconded by Commissioner Benjamin to pay for the new engine and upgrades to the St. Augustine Police patrol boat in the amount of \$24,332.59 passed by a 4 to 1 vote with Commissioner Bliss voting against.

Secretary-Treasurer Elyse Kemper then asked commissioners if they intended this expenditure to come from non-budgeted funds. She explained that a budget amendment was necessary if the money did not come from a previously budgeted source.

A motion by Chairman Dixon, seconded by Commissioner Benjamin, to take \$24,332.59 from the 2012-2013 budget line item for undefined marine projects passed by a 4 to 1 vote with Commissioner Bliss voting against, thereby avoiding the need for a budget amendment.

B. Parks & Recreation Beach Services Update - Wil Smith & Billy Zeits.

Wil Smith presented commissioners with a check from St. Johns County for \$17,499.85 representing one-half of the amount by which the Vilano Floating Dock had come in under budget. Commissioner Rippe commented he received reports the dock was listing and asked that the County inspect same. He and Commissioner Bliss each commented that there appeared to be little use of the dock as yet. Mr. Smith said the water taxi service operated Nights of Lights tours from the dock. Commissioners Benjamin and Hennessey each commented they believed usage will increase as the dock becomes known to the boating public and as Vilano Town Center continues to develop.

Billy Zeits, District Beach Services, reported his agency collected about \$900,000 last year in beach tolls which fund beach ramps, walkovers, cones, signs and turtle management in his agency alone, and that many other county agencies share the toll revenue. More than one million people visited our beaches last year and several times beaches were closed to parking because they were at capacity. He said there are now four full-time natural resource officers assigned to beaches and two full-time deputies. The number of citations issued is falling yearly as compliance increases. Next year the County intends to conduct a study to determine additional areas for possible off-beach parking. Also, all agencies are converting to the use of ATV's instead of traditional four-wheel drive vehicles for beach patrols.

In response to questions by Commissioner Dixon, Zeits said beach renourishment sand is remaining near or on the beach and that there is seawater under the pier again. He said the next renourishment project will be to restore sea oats between 11th Street and Pope Road.

In response to a question from Commissioner Rippe regarding beach driving, Zeits said driving has been limited mostly by State law and by the closure of beaches at Ft. Matanzas National Monument. Otherwise, the beaches have been closed several times this year because of flooding at ramps.

C. Letter to NOAA re: Hydrographic survey - Ken Krauter.

Ken Krauter explained a letter he wrote for Chairman Dixon to NOAA regarding the need for a hydrographic survey of District waters, including St. Augustine Inlet. Lieutenant Commander Butts, USCG, appeared and explained the letter was needed to substantiate the need to bring a survey vessel to St. Augustine. He said a survey of the inlet had been last completed in November, 2012, which showed a shoal interrupting the federal channel around markers 5 and 6, and that the Coast Guard will be relocating those markers in the very near future to reflect channel conditions. The NOAA survey will probably take place in February or March, 2013. Lt. Commander Butts also said the buoys, which are mostly made of foam plastic, will be reset to take advantage of the best navigational waters available in the inlet.

In response to a question by Commissioner Rippe, Lt. Commander Butts explained that the recent beaching of vessel "Raise the Bar" on Vilano Beach was because the vessel grounded in fog, damaging its propellers, then broke anchor and drifted onto the beach. The vessel has been removed.

Commissioners thanked Lt. Commander Butts and the Coast Guard for playing such an important role in keeping St. Augustine Inlet safe and passable to navigation.

PUBLIC COMMENT

Lt. Steve Zukowski, FWC, said the owner of a derelict vessel north of the Vilano Bridge was found and offered the option of removing the vessel or face a citation and court appearance. He said two other vessels, the "Tiger Lily" and a Sea-Ray south of S.R. 312 are under investigation. He reported festivities for the Christmas regattas in St. Augustine and Palm Valley were not hampered by early fog conditions and that many agencies assisted in managing traffic at the events.

Lt. Zukowski spoke recently with an ornithologist from the FWC who will review the plans for the Summer Haven River Restoration as it affects the least tern nesting population. He plans to speak with him again in January and will report to the Commissioners.

Bob Masterson, 164 Pelican Reef Drive, St. Augustine, Florida, asked if it was determined whether the Corps of Engineers contractor dredged the federal channel through the area of buoy 5A. Chairman Dixon responded that County engineers had furnished a survey in October that showed a shoal remaining in the 5A area even though the County Commission had promised to dredge a 200 foot-wide and 30 foot deep channel in the federal right-of-way. Commissioner Dixon said the County was supposed to have coordinated with the Corps of Engineers but they missed 5A and refused to go back to it without additional cost. Commissioner Rippe said the Coast Guard failed to move 5A and the contractor simply cut around it. He said all the parties to the recent inlet litigation had agreed to cut the channel and that County Commission Chairman Ken Bryan had written the District a letter confirming this. Then, the County failed to oversee the work by the Corps of Engineers and this error was allowed to occur. Commissioner Hennessey said the Corps of Engineers was supposed to be the manager of the project but that they had been uninformed about it from the very beginning.

COMMENTS BY COMMISSIONERS

Commissioner Bliss asked Commander Fricke if it would be possible to remove the sunken vessel near a private home north of the Vilano Bridge. Fricke said the City would move it if the District will pay for removal. Commissioner Benjamin commented that particular vessel is covered by ten feet of water at low tide and does not constitute a hazard to navigation.

Commissioner Bliss also said the District's website does not seem to have been updated in a timely fashion. Also, he said the District should obtain updated aerial maps of the inlet, bay and facilities for distribution to the public. Commissioner Dixon said the previous map was very popular and had been prepared by the Sea Grant program.

NEXT MEETING

The Chairman announced the next regular meeting is scheduled for Tuesday, January 15, 2013, at 3:00 p.m. in the same location.

ADJOURN:

There being no further business, Chairman Dixon adjourned the meeting at 5:20 p.m.

Secretary-Treasurer

wk/rg/port/minutes12-18-12

Chairman