

ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT
MINUTES OF REGULAR MEETING
Tuesday, January 19, 2021

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, January 19, 2021.

1. CALL TO ORDER

Chairman Matt Brown 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

Chairman Matt Brown, Vice-Chairman Chris Way, and Commissioners Sandy Flowers, and Jane West were present at the start of the meeting. Commissioner Tom Rivers arrived following the adoption of the agenda and was present for the remainder of the meeting. The meeting was also attended by Secretary-Treasurer Elyse Kemper and Clay Meek, General Counsel for the District.

4. ADOPTION OF AGENDA

A motion to approve the agenda was made by Commissioner West, seconded by Chairman Brown, and passed by a 4-0 vote.

5. PUBLIC COMMENT

None

6. GOVERNMENT REPRESENTATIVE COMMENTS

Sergeant Josh Underwood of the St. Johns County Sheriff's Marine Unit reported that, since the last meeting, there had been 24 wake zone patrols, 9 warrants issued for safety violations, 2 citations were issued for navigation lights, and 4 citations were issued for resource violations by the St. Johns County Sheriff's Office. A matching fund grant for a fan boat was presented and discussed. The cost for the boat was \$73,933.00 and the matching fund request from the Port District was \$34,339.50. The fan boat would expand the ability to patrol shallow water and reduce the reliance upon borrowing use of a similar boat from the Flagler County Sheriff's

Office, which is not always available. **A motion to approve the matching fund request was made by Commissioner Flowers, seconded by Vice-Chairman Way, and passed by a 5-0 roll-call vote.**

Jim Piggott appeared on behalf of the City of St. Augustine. Mr. Piggott indicated that the minutes from Port District's November meeting indicated that funding for the then discussed boat removal project was not available from FIND and Mr. Piggott stated that FWC was the entity that he had indicated had no funding available. Further, FIND was actually in the process of approving 75% reimbursement. Mr. Piggott indicated that inlet markers were being replaced by the Coast Guard as noted in the e-mail updates he had been providing. Mr. Piggott stated that there were 4 more boats in need of removal that are within the Port District's boundaries and that, if approved by the Port District, FIND would be funding \$26,981.25, with the Port District funding \$12,193.75 of the removal costs. **A motion to approve the matching fund request was made by Commissioner Flowers, seconded by Vice-Chairman Way, and passed by a 5-0 vote.**

Sydney Lindblad, Natural Resources Program Manager of St. Johns County, provided updates on four items. First, she indicated that the Doug Crane project, for which the Port District had approved funding for a floating dock and gangway had gotten additional funding and the scope of the overall project had increased, including parking lot improvements. The project was proceeding, with the Army Corps having just notified the neighbors of the project, which is the last step of the process in getting a permit from the Corps. Second, Vilano Beach on-beach driving was expected to re-open within one to one and a half weeks following completion of a beach renourishment project. Third, was an update on Butler Park East. The first phase of the project would involve shrinking grass areas, parking lot improvement, and improvement to the walk-over and would cause closures in February and March. The second phase was expected to then include further improving the bathroom facilities and pavilion areas. Finally, the Maritime Master Plan had been approved and was going out to bid.

A question was made by Commissioner Flowers regarding gaps in the sand placement in the Vilano Beach renourishment project. Ms. Lindblad deferred to Nathan Otter of St. Johns County Parks and Recreation Department, who then came forward to address the question. Mr. Otter indicated that property owners had to sign

easements to allow the sand placement and, for parcels without signed easements, sand was not placed.

Vice-Chairman Way then asked Ms. Lindblad if the Maritime Master Plan identified a location for boat ramp construction within the Port District's boundaries. Ms. Lindblad indicated there was some County land south of Crescent that might provide for a kayak/canoe launch. Land on the north-east side of the 206 bridge, which was Department of Transportation land, was mentioned as a possible location for a boat ramp. Commissioner Flowers expressed a desire to look at boat ramps under all the area bridges as a way to improve access and minimize impact to the neighborhoods in the area. Mr. Otter indicated that St. Johns County had approved a land-acquisition program to attempt to acquire land that could be used for boat ramps. Commissioner West suggested avoiding the use of impervious surfaces in association with the Butler Park East project to help prevent run-off and Mr. Otter indicated St. Johns County was looking at ways to do that on most of such projects with awareness to storm-water retention, within space constraints.

Officer Joshua Lawrence of the Florida Fish and Wildlife Conservation Commission, indicated that FWC had sent repayment letters to the owners of the last 5 boats removed and that FWC had been focusing on oyster bed protection from recent out-of-town people attempting to dry-dock on the beds. FWC had also been working to protect Right Whales recently in the area from interaction or harassment by the public.

Vice-Chairman Way asked a question of Mr. Piggott, who returned to dais to speak. Vice-Chairman Way asked if the City had any plans for boat ramp construction. Mr. Piggott indicated it had been looked at for several years, but residents in potentially affected neighborhoods had raised objections to boats being hauled through their neighborhoods and the City had no plans for boat ramp construction.

7. SECRETARY-TREASURER'S REPORT

Secretary-Treasurer Kemper delivered the financial report. As of December 31, 2020, the District spent: \$150 for overtime hours of police officers of the City of St. Augustine and \$5,387 for overtime hours of deputies of the St. John's County Sheriff's Department. The State Board of Administration account had a balance of \$23,144. The Operating Account had \$305,000 as of December 31, 2020. The money market account had \$2,464,700. Taxes

received as of December 31, 2020, were \$469,868, with an additional expected tax income of \$113,532. \$200,000.00 had been moved from the operating account to the money market account since the last meeting to gain some additional interest.

8. APPROVAL OF MINUTES

A motion to approve the minutes of the December 15, 2020, regular meeting was made by Vice-Chairman Way, seconded by Commissioner Rivers and passed by a 3-0 vote, with Chairman Brown being the third vote and only three votes being cast to reflect the attendance at the December 15, 2020, meeting.

9. ENGINEERING REPORT

None

10. OLD BUSINESS

Linda Ginn of the Friends of the Summer Haven River spoke regarding the Summer Haven project. She indicated the county was planning to remove sand from the south river without dredging and would use the sand to rebuild the berm at the south end with the sand. They are expecting permitting to be given to do the entire river, with partial permitting in place now.

11. New Business

A. Establish Surplus Funds

Discussion was had regarding the current funds of the Port District are approaching \$3,000,000.00. Yearly operating expenses were estimated at \$155,000.00 to \$170,000.00, not including other grants or non-time expenditures. The average increase in Port District funds per year over the past five years was estimated at \$200,000.00.

Chairman Brown noted that past estimates of a fair reserve amount had been mentioned as being \$1,000,000.00, but some of the prior costs for emergency expenditures were mitigated and lessened in ways that are not likely to occur again. Vice-Chairman Way confirmed that there was no need to take money out now, but that he agreed there should be a general decision on how much the Port District might be willing to spend in matching funds to help a boat ramp be built. Commissioner Flowers noted that the Port District does not have to partner with other entities to build a boat ramp and also noted that, when emergency dredging situations

come up, it would be unlikely to be able to find dredging services to purchase at that time and that \$1,000,000.00 would still be appropriate as a result. Chairman Brown mentioned that nothing was being spent now, but that it was a discussion to see what the Commission as a whole thought was a good reserve account and what the best potential projects for the excess would be.

Vice-Chairman Way also commented that, if the reserve agreed to was \$1,500,000.00, the Port District should also agree that the excess would be designated for boat ramp construction assistance only and the surplus should not be spent down in general. Commissioner West suggested that a resolution be prepared formalizing the reserve amount and that the priority of the excess funds be boat ramp construction.

Ultimately all Commissioners reached agreement in concept and a **motion to approve the preparation of a resolution reflecting a minimum reserve fund balance goal of \$1,500,000.00, with an earmarking of the excess to be used for boat ramp construction was made by Vice-Chairman Way, seconded by Commissioner West, and passed by a 5-0 vote.**

B. Grants for Seawall Construction from USACE

Commissioner Flowers discussed the information she had obtained from Mr. Suggs with the United States Army Corps of Engineers and the potential funding available from the Army Corps for various projects, including seawalls.

In the process of the discussion of that item, Commissioner Flowers raised the question of discussion of filing suit relative to the Summer Haven project and hiring a lawyer to pursue that. Commissioner West and Chairman Brown noted the item was not on the agenda and was not properly considered without being on the agenda.

C. Procedure for replacing Channel Markers

Chairman Brown indicated that Taylor Engineering had communicated regarding Salt Run markers that have had to be replaced regularly at an estimated cost of \$25,000.00 over the prior many months alone. An estimate to replace and properly upgrade all channel markers was given as being "under \$100,000.00" with further specific estimate not being possible unless and until a formal survey was authorized and paid for.

Commissioner Flowers objected to the cost estimate and suggested contacting other possible contractors. Vice-Chairman Way suggested soliciting proposals for providing the markers. Commissioner West agreed that a survey should be done and suggested that be put out to bid as well.

Criteria to be evaluated were mentioned as being timeliness in response to need, that the markers be upgraded as needed to make them resistant to being pushed over, the potential utilization of lights on the markers, that the piles for the markers be driven to refusal and not just jetted in, that piles must be at least 14 inches in diameter, the proximity of the contractor to the site, the ability to store pilings, and that the request for proposal/bid not be overly long or complicated to encourage response from marine contractors.

Ultimately, it was determined that the first step would be to see if and how many contractors would be interested in providing the survey and piling replacement. **Motion was made to determine the level of interest in providing the services prior to soliciting bids for anything, including the survey itself, by District General Counsel preparing a draft of options for determining interest and criteria for Commission review at the next meeting. The motion was made by Vice-Chairman Way, seconded by Commissioner West, and approved by a 5-0 vote.**

D. Digitizing Port Records

Comment was made about the cost of responding to records requests and whether digitization of the records might lessen that ongoing cost. Secretary-Treasurer Kemper was requested to get an estimate from her employer to digitize records going forward and check with Avid Design as to the cost to have them posted on the Port District's website.

E. 2020 National Conference on Beach Preservation

Commissioner West outlined the Conference information and benefit to the Port District in having a Commissioner attend. Commissioner West indicated she proposed attending virtually rather than in-person, which involved a lesser cost. Commissioner Flowers indicated she would also like to attend herself, in person, and it was agreed that Commissioner Flowers would obtain copies of materials given out to the conference to share with the rest of the Commission along with a report of the outcome of the event.

Motion to approve payment of the cost of attendance at the conference by Commissioner West and Commissioner Flowers was made by Chairman Brown, seconded by Vice-Chairman Way, and approved by a 5-0 vote.

F. St. Johns County Land Acquisition Management Program

Commissioner West reported that the St. Johns County Commission approved \$500,000.00 in funding for the program by a 3-2 vote. Commissioner West noted that the ability to show local matching funds should greatly increase the potential for getting state level funding for projects by showing that local money was being spent as well. It was also hoped that the same effect would be had on attempting to get Federal funding.

12. PUBLIC COMMENT

None

13. COMMENTS BY COMMISSIONERS

Commissioner Flowers indicated that no vote had been had on funding for a kayak ramp and it was agreed that the issue would be on the next month's agenda.

14. NEXT MEETING

February 16, 2021, was announced as the next meeting date. As such, the **next meeting will be at 3:00, p.m., on February 16, 2021,** at the St. Augustine Beach City Commission Meeting Room, 2200 A1A South, St. Augustine Beach, Florida.

15. ADJOURN

There being no further business, Chairman Matt Brown adjourned the meeting at 4:45, p.m.

Secretary-Treasurer

Commission Chairman Brown