

ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT

MINUTES OF REGULAR MEETING

Tuesday, January 21, 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, January 21, 2014.

CALL TO ORDER

Chairman Barry Benjamin 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 Barry Benjamin, Commissioners Herb Rippe, Jerry Dixon and Jay Bliss were in attendance. Chuck Hennessey arrived at 3:15 p.m. The meeting was also attended by Steve Schropp of Taylor Engineering, District Counsel Jim Bedsole and Secretary-Treasurer Elyse Kemper.

SECRETARY-TREASURER'S REPORT

Secretary-Treasurer Elyse Kemper delivered the report. As of December 31, 2013, no money had been spent from the 2013-2014 budget on overtime pay for City Police and \$4,832.00 was spent for St. Johns County Sheriff's Office routine pay. \$25,000.00 has been spent for artificial reefs and \$36,021 spent for operating expenses. Tax revenue for 2013 assessments is \$309,782.00 with \$66,962 expected. As of January 17, 2014, the District had a total of \$2,134,861.00 available for use.

APPROVAL OF MINUTES

Chairman Benjamin moved to approve the minutes of the November 19, 2013 regular meeting and Commissioner Dixon seconded the motion. The minutes were unanimously approved.

ENGINEERING REPORT

Dr. Steve Schropp of Taylor Engineering delivered the engineering report. He said he contacted the Florida Department of Environmental Protection (FDEP) regarding the progress of the revised Inlet Management Plan (IMP) and was told it had been forwarded to the agency director for signature. Commissioners Rippe and Dixon expressed displeasure that FDEP did not respond regarding issues raised by the District on the draft IMP. Dr. Schropp said it was not clear whether FDEP is preparing to respond or whether the IMP will be presented without the opportunity for further input by the Board and other participating agencies.

The public notice period for FDEP to issue the permit for the Summer Haven River restoration project has expired without any request for an administrative hearing. A request for an administrative hearing on the issuance of the incidental take permit for least terns by the Florida Fish and Wildlife Conservation Commission (FWC) has been forwarded to the Department of Administrative Hearings for scheduling.

Dr. Schropp then presented to the Board an addendum to the contract for Taylor Engineering. He said it is identical to the previous version but does contain a fee increase of 3% over the next three years.

Commissioner Bliss moved the Board approve the contract for engineering services with Taylor Engineering and Commissioner Benjamin seconded the motion. The Board unanimously approved the contract.

Commissioner Dixon said local applications for funds from the Florida Inland Navigation District (FIND) are due in March. Jim Piggott, Director of General Services for the City of St. Augustine said he will bring a request from the City in February for \$280,000.00 in matching funds for three projects planned by the City: San Sebastian River dredging, Salt Run dredging, and rebuilding the Lighthouse Boat Ramp. Commissioner Rippe asked when this money, if approved, would be required. Mr. Piggott said the projects are scheduled for 2015 and that these funds would be combined with funds previously committed by the Board to fund the Salt Run and San Sebastian projects.

Commissioner Rippe commented that \$280,000.00 represents the entire discretionary spending budget of the District and that this is nearly its entire income for the year. Commissioner Dixon said the purpose of the District is to provide funds for dredging and to facilitate that activity. Commissioner Rippe said he had reservations about supporting this expenditure in the absence of any effort to prioritize spending. Commissioner Dixon said the City of St. Augustine needs a commitment of matching funds now to obtain a FIND grant for 2015. Commissioner Bliss said it was inequitable for the City to ask the District to make so many different expenditures on the City's behalf when the District budget is so small. He asked Mr. Piggott to email Ms. Kemper the details of the request for consideration at the February meeting. Mr. Piggott agreed to do so and added the City actually spends far more on these projects than the District. He cited as an example the mooring fields where the District spent \$150,000.00 on planning and the City then spent \$600,000.00 to construct them.

Commissioner Dixon said many of these projects were initiated by the Board. Dredging the San Sebastian River is an example. The District paid for permitting and is now participating in the project because the permits expire five years after issuance.

Mr. Piggott said the District also paid for the design of the new seawall on Avenida Menendez. He invited all commissioners to attend the grand opening for the new seawall on February 7, 2014 at 3:00 p.m. Commissioner Bliss said the lighting on the seawall is too bright. Commissioner Dixon said the City Planning and Zoning office has received complaints about the lights and the City is adjusting their intensity.

OLD BUSINESS

Proposed Application for Financial Assistance -Commissioner Hennessey

Commissioner Hennessey presented a proposed application for use by those requesting financial assistance from the District. He said the application is modeled after FIND's. His plan was to have an end-of-year application for large projects, then a mid-year application for smaller projects.

Commissioner Rippe said any process adopted should mesh with FIND's schedule and should be flexible enough to allow requests that may arise as needed. Commissioner Dixon said St. Johns County has often lost out on FIND grants because not enough local agencies requested funds and available money was used by other counties.

Consultant Ken Krauter said the application should be made available on the District's website and that it should address priority, liability issues, port project accountability and consequences for non-compliance. He said priority should be given to projects which promote the District's goals.

Chairman Benjamin said the Board needs a workshop to discuss the proposed application. The Board decided to hold the workshop at 4:30 pm. on February 18, 2014 after the next regular meeting and directed the Secretary to prepare an advertisement.

Commander Steve Fricke, St. Augustine Police Department (SAPD) said they had recently taken possession of the 100th derelict vessel removed from local waters since the program began in 2005. He said 62 vessels had been removed, one had been resold, and 37 other vessels had been brought into compliance or had been removed from the county. He said no other county in Florida, and very few nationwide, have such a good record. He congratulated the Board for their continued gracious support of the program. Commissioner Rippe said he would like to see a press release by the City publicizing the accomplishments of this program. In response to a question by Commissioner Dixon, Mr. Fricke said the incidence of derelict vessels has dropped dramatically since the establishment of the mooring fields.

NEW BUSINESS

East Coast Port Perspectives - Claiborne Young

Commissioner Bliss introduced the editor of Salty Southeast Cruisers, Claiborne Young. Mr. Young said his publication went totally electronic in 2007 and that his cruising guide is the most consulted guide for the waters from North Carolina to the Gulf coast. Mr. Young discussed the differences between Florida and other southeastern states as to anchoring regulations and maintenance of the Intracoastal Waterway. He said heavy-handed enforcement of anchoring regulations in some south Florida areas has given the state a bad reputation among cruisers. On the other hand, Florida has the best-maintained waterways in the southeast, and this attracts cruisers.

PUBLIC COMMENT

Lt. Steve Zukowsky, FWC, reported that one derelict vessel case had closed last month and that another derelict had been run ashore near the 206 Bridge. The owner has failed to respond to contacts by FWC. Another vessel is reportedly aground near the south boundary of Guana State Park and is under investigation.

He said the shrimper "Carolina Girl" sank before Thanksgiving near the mouth of the St. Johns River and the event was handled by the Coast Guard. Pieces of the vessel have now begun to come ashore as far south as Daytona Beach. Shrimpers from Georgia and the Carolinas are in the area to catch "jelly ball" jellyfish for sale to the Asian market.

Commissioner Rippe questioned FWC's recent decision regarding the extension of the marine regulation pilot program for the City of St. Augustine. He said the decision affects the local community and was made without notice to the public. Lt. Zukowsky said he had received no direct notice himself, but that all the required notices are posted on the FWC's website.

Commissioner Bliss mentioned that the ordinance is under possible review in federal court a result of a lawsuit by a local vessel owner. Commander Fricke said the plaintiff in the case paid his fine and moved his vessel before going to court.

Bill Clements, 9079 June Lane, Summer Island, said he has been able to walk to the beach from his home on the west side of Highway A1A since moving there two years ago from another state. He said he wants an administrative review of the least tern take permit approved by FWC because restoring the Summer Haven River to its original course would force him to walk across a bridge to get to the beach. No one else from Summer Island attended to support Mr. Clements.

Jeff Fox, South Crescent Beach, said there was never an access by foot from Summer Island to the beach until a tropical storm breached the dunes in 2008, four years before Mr. Clements arrived in Florida. He said there is no parking for cars on the east side of A1A and the damage to the river needs to be repaired.

Bob Masterson, St. Augustine, asked whether the District could be expanded to encompass all of St. Johns County. Commissioners Bliss, Rippe and Dixon said they support the idea but that previous efforts to do so failed to attract the necessary sponsors in the Florida legislature. Commissioner Dixon said having money in the District's accounts makes it difficult to explain why more is needed. Commissioner Rippe said the last inlet dredge project cost twenty million dollars. He said the sources for these funds are not certain and more local money may be needed in the future.

COMMENTS BY COMMISSIONERS

Commissioner Rippe said the Board needs to reflect on its accomplishments in the last year and set new goals for the coming year, such as expanding the size of the District and making local waters more accessible to the public. He said he was impressed by the recent event hosted by FIND Commissioner Carl Blow aboard El Galeon and that the Board should take a more active role in reaching out to the public. He said he had recently spoken about the District to meetings of the Civic Round Table and the St. Augustine Beach Civic Association.

Commissioner Benjamin said he believes the goals of the District are embodied in the District's Charter and Mission Statement. Commissioner Dixon said the District initiated the dredging of both the San Sebastian River and Salt Run, and that it has been instrumental in such things as the new seawall, the mooring fields and the derelict vessel removal program. He said these are all long-term needs the community relies upon the District to provide.

Commissioner Bliss questioned whether election of a new chairman would be possible now. District Counsel Jim Bedsole said the District Charter allows for the election of officers at the pleasure of the Board.

Commissioner Bliss moved to elect Commissioner Rippe Chairman. The motion was seconded by Commissioner Hennessey and passed by a 3 to 2 roll call vote with Commissioners Dixon and Benjamin voting against.

Commissioner Bliss then moved to elect Commissioner Hennessey Vice Chairman. The motion was seconded by Commissioner Rippe and passed by a 4 to 1 roll call vote with Commissioner Benjamin voting against.

Commissioner Rippe asked Secretary Kemper if the Board could hold regular meetings in the evening. Ms. Kemper said the room the Board uses is not usually available after 6:00 p.m. Commissioner Bliss requested Ms. Kemper to research other possible meeting times.

NEXT MEETING

Commissioner Benjamin announced the next meeting will be Tuesday, February 18, 2014 at 3:00 p.m. in the same location.

ADJOURN:

There being no further business, Commissioner Benjamin adjourned the meeting at 5:40 p.m.

Secretary-Treasurer

Chairman

wk/rg/port/minutes-2014/1-21-14 meeting