

ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT
MINUTES OF REGULAR MEETING
Tuesday, April 16 , 2019

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, April 16, 2019.

1. **CALL TO ORDER**

Chairman Barry Benjamin 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 Barry Benjamin, Vice-Chairman Tom Rivers, and Commissioners Matt Brown, and Sandy Flowers were in attendance. Commissioner Chris Way was absent. The meeting was also attended by Mike Trudnak of Taylor Engineering, District Council Jim Bedsole and Secretary-Treasurer Elyse Kemper.

4. **SECRETARY-TREASURER'S REPORT**

Secretary-Treasurer Kemper delivered the financial report. As of March 31, 2019, the District had spent \$81,722 in operating expenses, \$61,452 for projects budgeted in this fiscal year, and \$200,000 for the Seawall-Connectivity project for the City of St. Augustine which was budgeted last fiscal year. As of March 31, District funds on deposit totaled \$2,249,484, plus \$100,475 in a separate account for the Summer Haven River restoration project. Projected tax revenue for fiscal year 2018-2019 is \$526,341 of which \$478,736 has been received.

5. **APPROVAL OF MINUTES**

A motion by Vice-Chairman Rivers to approve the minutes of the regular meeting of March 19, 2019, was seconded by Chairman Benjamin and passed unanimously.

6. **ENGINEERING REPORT**

Mike Trudnak delivered the engineering report on behalf of Taylor Engineering. He said Markers 3 and 6 were down in Salt Run and that No. 3 had been secured in place. Mr. Trudnak said the cost to repair the two markers without buying new signs would be \$10,500. Chairman Benjamin asked if buoys or lighted poles might be better and more durable

options. Mr. Trudnak said he would call the Coast Guard and get their opinion on the matter. Commissioner Brown asked if that could be done by the end of the week, and Mr. Trudnak said he would get back to commissioners by the end of the week. Mr. Trudnak said solar-powered lights are often used on markers. Commissioner Flowers said she has seen floating solar-powered lights in other jurisdictions. Chairman Benjamin then moved to table the repairs until new information could be obtained, but asked the board to approve a repair budget of \$11,000. The board unanimously agreed to the budget.

A motion by Commissioner Flowers to approve a budget of \$11,000 for repair or replacement of Markers 3 and 6 in Salt Run was seconded by Commissioner Brown and passed unanimously.

Mr. Trudnak then said Taylor Engineering has been operating for some time without payment for some of its work on the Summer Haven River restoration project and requested the board to approve the payment of \$22,000 from the Summer Haven River fund to Taylor Engineering as final payment to the end of the project. Ms. Kemper said there was enough money in the fund to pay the request. Commissioner Flowers asked why the project was not completed yet and said that the restoration contractor had already been paid in full. Mr. Trudnak said the contractor was not asking for money, Taylor Engineering was asking. Mr. Trudnak said it was for work done on the least tern mitigation area in conjunction with the Florida Fish and Wildlife Commission and the United States Department of Agriculture to address some unanticipated problems at the site. Commissioner Flowers asked what a least tern mitigation site was, and where she could find out about it. Mr. Trudnak explained that the site is part of the DEP permit for the restoration of the Summer Haven River and that the site was required to be maintained for three years after completion of the restoration. He said the extra money is needed mainly because the fencing, bait traps and bird-calling system have all had to be repaired or replaced. Upon further questioning by Commissioner Flowers, Mr. Trudnak explained the history of the project and how it had been nearly complete when Hurricane Irma destroyed much of the work. This event led to numerous delays and financial shortages and only now is the project again nearing completion. Mr. Trudnak added that part of the project had to be re-engineered because the beach proved to be too unstable to create the additional tern nesting area required by the permit, so it had to be relocated to the west side of the beach berm. Commissioner Flowers said she could not get any information from the district on how the project funds had been spent. Mr. Trudnak said he would get Taylor's records for her.

A motion by Chairman Benjamin to approve the request by Taylor Engineering for an additional \$22,000.00 was seconded by Commissioner Brown and passed by a 3 to 1 vote with Commissioner Flowers dissenting.

Commissioner Brown asked how long monitoring would continue. Mr. Trudnak said until the end of least tern nesting season in August, 2019. Commissioner Brown then explained the mitigation program to Commissioner Flowers, who responded that \$22,000 was a lot of money.

Vice-Chairman Rivers said the District has relied upon Taylor Engineering for many years and that he respects their advice, opinions and guidance. Commissioner Flowers said Taylor's contract with the District has never been reviewed and that a law says it must be

reviewed each year. She then said it took five months for her to get business cards. She then said that Taylor Engineering's contract with the District had never been reviewed since 1991 and that no other District consultant contract has ever been reviewed each year. She said when she asked for detailed financial records of the various projects with the City of St. Augustine she was told to call the city as the District did not have detailed records of lump-sum grants, only records that the payments were made and to what agency.

7. OLD BUSINESS:

Commissioner Flowers discussed a barge builder she visited recently whose business constructs small dredges and other marine construction floating platforms. She said she would have a full report at the next meeting.

Commissioner Flowers then asked Chairman Benjamin if he were the District liaison to FIND and Chairman Benjamin said he had been appointed years ago. Flowers then said the board would need to vote on that designation again and that Mr. Benjamin could not speak to Mr. Blow because Benjamin is the liaison. Mr. Benjamin said if someone else wanted the designation he would agree to step down. Ms. Flowers said Mr. Piggott was the city's designated liaison to the district and that no one should talk to him, either, because of that. Mr. Bedsole said Mr. Piggott is a city employee only, and that he has never been designated liaison by the city. Ms. Flowers said he performs like a liaison and therefore he is one. She said the City Manager of the City of St. Augustine Beach is also a liaison and that no board member should talk to him.

Ms. Flowers then asked why the chairman was reaching for the gavel to which Mr. Rivers replied that it would be helpful to know the issues Ms. Flowers is interested in discussing before the meeting so that board members could prepare and participate in a fruitful discussion with knowledge and information. Chairmen Benjamin said Ms. Flowers' approach in the discussion was very disruptive. Ms. Flowers replied that she was hired to be disruptive.

Ms. Flowers further complained the district's records needed to be kept on District property and that having to go to the city office building to see the records was a violation of state law. Ms. Kemper replied that the records have to be kept somewhere and that they are kept in an office rented from the city because the District actually does not own a building.

8. NEW BUSINESS:

A. St. Johns County Property Appraiser - Mr. Eddie Creamer

St. Johns County Property Appraiser Eddie Creamer appeared and discussed Florida's constitutional homestead exemption and how it affects tax revenue. He said thousands of homeowners claim the homestead exemption in St. Johns County but that entitlement to those exemptions has rarely, if ever, been audited for authenticity. Additionally, migration into St. Johns County is at an all-time high, and his office does not have the staff to devote to an audit. Consequently, he seeks to follow the practice of many other Florida counties which have contracted third-party auditing services to verify the authenticity of the homestead tax

roll by comparing local information with national public information data bases. He said a small percentage of homesteads in other counties have been denied because, for instance, homeowners have claimed to be permanent residents in other states, or have business or domestic interests in other states, which require residency there. He said that in order to engage a contractor to perform the audit, the consent of each taxing authority in the county is necessary because the auditor would be paid a commission based on a percentage of funds recovered from unauthorized homesteads. He said the fees charged audit companies range from fifteen to thirty percent of the recovery. He asked the board to approve the District's participation in the program by joining in a memorandum of understanding allowing the audit.

In response to questions by Commissioners Flowers, Brown and Rivers, Mr. Creamer said he believes 1% to 5% of homesteads could be proven defective, and that there is no additional cost to each taxing authority because the audit fee is taken from the initial increase in tax revenue due to loss of the exemption.

A motion by Commissioner Flowers to approve the concept of the homestead audit and allow the property appraiser to proceed with engaging an audit service was seconded by Commissioner Brown and passed unanimously.

9. GOVERNMENT REPRESENTATIVE COMMENTS

Keith Oke, St. Johns County Sheriff's Office Marine Unit, reported his agency put in 152 hours on the water last month, responded to 53 calls, performed 12 vessel inspections and 12 wake zone patrols, assisted 6 other agencies, issued 5 warnings and 4 citations, assisted 4 swimmers or boaters in distress, made a drug possession arrest, and investigated 4 minor boating accidents.

Jim Piggott, Director of General Services for the City of St. Augustine, reported the city has filed grant applications with FIND and that city staff would present the applications to FIND's board next month.

Carl Blow, St. Johns County's representative to FIND, said property appraisers from other counties have asked FIND to join in homestead audits and that FIND has approved them, as there is no down-side for a taxing authority. FIND has received four grant applications from the City of St. Augustine and the county for the improvement and expansion of county boat ramps for a total of about \$473,000. He also reported that the maintenance project for the St. Augustine Inlet has been postponed due to a shift in Corps of Engineers funding. He said the companion project near Matanzas Inlet will go ahead as planned, but with less federal funding. He said the project will place about 300,000 cubic yards of sand on the beach at Summer Haven.

Mr. Blow then distributed information related to the economic impact of the Intracoastal Waterway on St. Johns County, which is estimated to be \$848 million dollars per year. He said there are in excess of 11,000 registered vessels of all types in our county.

Commissioner Flowers asked Mr. Blow why no one has improved the boat ramp at May Street adjacent to the Hospital Creek Bridge. She said it is perfect for kayaks and other small vessels. Mr. Blow said he knows nothing except that area was formerly a paved road. He suggested a FIND grant application could be made for an initial design and environmental permitting.

10. PUBLIC COMMENT:

Linda Ginn FOSHR, requested an agenda item next month for an exit review of the restoration project.

11. COMMENTS BY COMMISSIONERS:

Vice-Chairman Rivers said he would like to know who owns the property on the east end of the Hospital Creek Bridge. Chairman Benjamin said Commissioner Flowers could support any eventual project there by serving as the District sponsor of the project.

12. NEXT MEETING:

Chairman Benjamin announced the next regular meeting of the board will be held at 3:00 p.m. on Tuesday, May 21, 2019, in the St. Augustine Beach City Commission Room.

13. ADJOURN

There being no further business, Chairman Benjamin adjourned the meeting at 4:15 p.m.

Secretary-Treasurer

Chairman