

ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT

MINUTES OF REGULAR MEETING

Tuesday, July 15, 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, July 15, 2014.

CALL TO ORDER

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

SECRETARY-TREASURER'S REPORT

Secretary-Treasurer Elyse Kemper delivered the report. Total funds spent this fiscal year to date equal \$157,716. Total funds now on deposit equal \$2,193,320, and funds committed but unspent equal \$584,187. As of June 30, 2014, net funds available equaled \$1,555,054. All expected tax revenues for the year have been collected. As of July 11, 2014, net funds available equaled \$1,539,913.

Ms. Kemper explained the Department of Revenue (DOR) rules for public hearings in compliance with the Truth In Millage (TRIM) statute. She said tentative dates for TRIM hearings are September 11th and 25th for the first and final hearings, respectively. Each hearing will be convened at 5:05 p.m.

She provided worksheets explaining the difference between expected tax revenue from the rolled-back rate, last year's rate and the maximum rate allowed by the DOR. A tentative rate must be set today which can be lowered at future hearings, but may not be raised. A discussion then took place among commissioners.

Chairman Rippe moved to keep the current rate of .0638 mils. Commissioner Benjamin seconded the motion and it passed by a unanimous vote.

Ms. Kemper then directed the board's attention to a list of proposed district projects. Commissioner Dixon questioned the dredging line item of \$371,000. Chairman Rippe said that, in this year's budget, the money is dedicated to the San Sebastian River and Salt Run projects. Jim Piggott, City of St. Augustine, said the city has not asked for the funds because the work is not yet completed. He said the dredge projects are scheduled to continue next year if FIND provides matching funds.

Chairman Rippe questioned whether the city's requests for dredge funds should be subject to the regular process recently established for requests for financial assistance from the district. Commissioner Dixon said the dredge projects are actually district projects which are administered and supervised by the city as a partner with the district and should be exempt from the request process.

Commissioner Bliss said dredging is a part of the district's reason for existence, but not its only one. He questioned why the channel between the Conch House and the Lighthouse Boat Ramp was being dredged to a depth of ten feet when most of the boats using it are shallow draft. Commissioner Dixon said the permit allows that depth and it should be used before it expires. Mr. Piggott said Salt Run has a sedimentation problem which causes it to fill in quickly after dredging, so much of the depth is lost each year. Commissioner Bliss also questioned the propriety of dredging the San Sebastian River. He said the tidal flow there is so strong it naturally scours its own sediment.

APPROVAL OF MINUTES

Chairman Rippe moved to approve the minutes of the regular meeting of June 17, 2014. Commissioner Dixon seconded the motion and it passed by a unanimous vote.

ENGINEERING REPORT

Dr. Steve Schropp of Taylor Engineering delivered the engineering report. Dr. Schropp said the district received a favorable ruling from the administrative court on the opposition to the Summer Haven River project. The petitioner filed no exceptions to the ruling within the time allowed. The ruling recommends FWC issue the incidental take permit for least tern. Chairman Rippe said the opposition to the permit was unfounded and has simply been a nuisance expense of twenty thousand dollars in tax money. Dr. Schropp said the Corps of Engineers permit has been under review by the United States Fish and Wildlife Service since 2012 and is the only permit needed to begin the project. Upon questioning by commissioners, Dr. Schropp said he had no explanation why the permit review by USFWS had taken so long.

Dr. Schropp then discussed the recently passed Water Resources Reform and Development Act of 2014 (WRDA), which requires ten percent of Corps of Engineers funds to be spent on harbors with less than one million tons of shipping per year. He said the bill authorizes the expenditure but requires an increase in Corps appropriations to fund. In response to

questions by Chairman Rippe, Dr. Schropp said the best way to obtain an appropriation from the Corps is to contact their local director of operations and join in their planning process. He said the Corps usually plans 3 to 5 years in advance and even though nothing is needed this year, aid will be needed in the future. Dr. Schropp said the law allows local agencies to present independently performed economic justifications for local funding requests and the Corps is required to consider these in its funding decisions. Chairman Rippe asked Dr. Schropp to report on when the district may possibly need more funds from the Corps for WRDA-eligible projects.

Dr. Schropp said Jim Marino is meeting with county officials soon to discuss beach-related issues and will report on those contacts at the next meeting.

OLD BUSINESS

A. Boat Ramp Development - Chairman Rippe.

Chairman Rippe said the realtor had contacted the seller of the Luhrs property and was informed the seller would not consider an option agreement or a right of first refusal. The property now has a full price offer pending. He said he also talked to several county commissioners and was very positively received. He said it would be next year before the county commission could consider joining in funding land acquisition for another boat ramp or public access.

NEW BUSINESS

A. Issuing Bonds - Jean Mangu, Esq.

Jean Mangu, Esq., a public bond specialist with the firm of Edwards and Cohen in Jacksonville, addressed the board and explained the process of issuing bonds in Florida. She said bonds which would be repaid with ad valorem tax revenues required a public referendum to issue. She said a referendum would also be required for a private mortgage of district property, as in a purchase money mortgage transaction. She said the expense of a bond issue is fifteen to thirty thousand dollars for a small issue, exclusive of any extra charge by the supervisor of elections. She also said most bond referendums have a negative result and that it may be advantageous to combine the bond referendum with another referendum issue for a better result. In response to questioning by Chairman Rippe, Ms. Mangu said federal law allows bonds to be tax free, which aids in marketing. She also said the referendum is usually without extra expense from the supervisor of elections if other agency issues are already appearing on the ballot, such as elections of commissioners.

PUBLIC COMMENT

Lt. Steve Zukowski, Florida Fish and Wildlife Conservation Commission, reported that a long-standing case involving a derelict vessel may be over. The vessel, which was aground north of the Vilano Bridge, has disappeared and its owner says it was stolen. The Sheriff's office will be diving on the site to determine if it sank in deep water. He said the Fourth of July boating traffic was handled without major incident, and that there were no major accidents or arrests to report.

Eric Hellstrom, St. Johns County Fire and Rescue, said his staff was involved in a highway accident when a truck towing one of their rescue boats on A1A was rear-ended, damaging the boat and trailer.

COMMENTS BY COMMISSIONERS

There were no comments by Commissioners.

NEXT MEETING

Chairman Rippe announced the next regular meeting will be held on August 19, 2014 in the same location.

ADJOURN:

There being no further business, Chairman Rippe adjourned the meeting at 4:20 p.m.

Secretary-Treasurer

Chairman

ACTION ITEMS:

1. Jim Marino from Taylor Engineering will be meeting with county officials to discuss beach-related issues and will report on these contacts at the next meeting.
2. Taylor Engineering will report at the next meeting on when the district will possibly need more funding from the Corps of Engineers associated with the WRDA Act of 2014.
3. Commissioner Bliss will contact the USCG regarding repositioning of inlet buoys and report at the next meeting.