

**ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT**  
**MINUTES OF REGULAR MEETING**  
**Tuesday, September 15, 2020**

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, September 15, 2020.

1. **CALL TO ORDER**

Vice-Chairman Tom Rivers called the meeting to order at 3:00 PM.

2. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the flag of the United States of America followed.

3. **ROLL CALL**

Vice-Chairman Tom Rivers and Commissioners Matt Brown, Sandy Flowers and Chris Way were in attendance. The meeting was also attended by Secretary-Treasurer Elyse Kemper and District Counsel Jim Bedsole.

4. **INVOCATION**

Vice-Chairman Rivers offered the invocation.

5. **ADOPTION OF AGENDA**

Vice-Chairman Rivers added item 11.D. concerning membership in the Florida Association of Special Districts.

**A motion by Commissioner Brown to approve the agenda as amended, was seconded by Commissioner Way and passed by a 3 to 1 vote.**

6. **PUBLIC COMMENT**

Ed Slavin

7. **GOVERNMENT REPRESENTATIVE COMMENTS**

Jim Piggott appeared on behalf of the City of St. Augustine. He confirmed he forwarded to the board a legal memo from the city attorney advising that the District has no authority to pass ordinances according to the Attorney General of Florida. According to the District's charter, Chapter 2000-478, Laws of Florida, the District may act only through resolutions passed by a majority vote of a quorum present at a properly-noticed meeting.

The city will begin the annual Nights of Lights display a week early this year, and no ceremony is planned due to health concerns.

The city's grant request to the Florida Inland Navigation District for funds to dredge Salt Run was ranked first among all applications received by FIND. In response to questions from Commissioner Flowers, Mr. Piggott said the dredge projects in Salt Run are supervised by Taylor Engineering.

Carl Blow, Florida Inland Navigation District, reiterated the city's grant request was rated first among 54 applications and requires a twenty-five percent local match. In order to allow funding for other local projects, he said the cost of dredging Salt Run is spread over three years at \$200,000 per year. Total funding available to St. Johns County from FIND this year is \$699,000, the majority of which will go to other waterway projects. FIND also maintains a fund of up to \$30,000 per county per year for removing derelict vessels. Another fund is dedicated to volunteer waterway cleanup projects up to \$10,000 per county per year.

The Corps of Engineers has begun the Vilano Beach renourishment project and the contractor is on site. 1.3 million cubic yards of sand will be placed on the beach below mean high water from north of the inlet to Seranata Beach. Sand will be taken from the inlet, the flood shoal, and possibly from Salt Run. Mr. Blow said sand will be placed up to the mean high water line, wherever that lies, and that easements have been obtained from beachfront lot owners to allow this. Beach access may be restricted in areas until the project concludes in early 2021. He estimated there is more than 180,000 cubic yards of beach quality sand in Salt Run.

In response to questions, Mr. Blow said the city is already receiving grant money from FIND for derelict vessel removal.

Teddy Meyer, St. Johns County Parks, reported improvements planned for the Vilano Boat Ramp will begin this November and will consist of fencing and re-stripping the parking lot. The project at Doug Crane Park is in the final planning stages and may start as soon as next month. He suggested contacting the County Commission office for information on all the waterway-related projects now taking place in the county.

Cpl. Josh Underwood, SJSO Marine Unit, reported his agency responded last month to 127 calls for service, and cited boaters for wake zone violations, and life jacket and navigation light violations. There are two new derelict vessels, one of which is an 85-foot shrimp boat south of the 312 Bridge.

He reminded the board it had not addressed his agency's application for a grant of \$19,710 for night vision and thermal imaging equipment.

**A motion by Commissioner Flowers to approve an expenditure of \$19,710 for night vision and thermal imaging equipment for the St. Johns County Sheriff Marine Unit was seconded by Commissioner Brown and passed unanimously.**

Commissioner Brown reported the results of his research regarding the enforcement of marine sanitation device controls. The United States Coast Guard already regulates the devices and its regulations supercede those of a local jurisdictions. However, some local jurisdictions have imposed ordinances which allow them to inspect these devices on vessels within their waters to ensure compliance with Coast Guard rules.

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

Secretary-Treasurer Kemper delivered the financial report. As of August 31, 2020, the District had spent \$318,505 for projects and operating expenses in fiscal year 2019-2020, and collected \$565,449 in net tax revenue. As of that date, the District had on deposit a total of \$2,427,941, and holds \$712 in a separate account for the Summer Haven River restoration project. Ms. Kemper reminded the board her firm's engagement proposal needs to be approved. As some board members had not reviewed the revised agreement, Ms. Kemper agreed to place the matter on the next meeting agenda.

**9. APPROVAL OF MINUTES**

**Commissioner Brown moved to approve the minutes of the regular meeting of August 25, 2020.**

Commissioner Flowers said she could not approve the minutes because some of her comments during the last meeting had been omitted.

**Commissioner Way seconded Commissioner Brown's motion to approve the minutes and the motion passed by a 3 to 1 vote.**

**10. ENGINEERING REPORT**

NONE

**11. NEW BUSINESS**

**A. Discussion of Attorney Proposals**

Commissioners received presentations from attorneys Clay Meek, David Naples, Jack Spence and John Wallace for the position of district legal counsel. No action was taken by the board.

**B. Letter to Ethics Committee**

Vice-Chairman Rivers said he previously asked Commissioner Flowers for a copy of the letter she said she wrote to the ethics commission and that he had never received one. He said Commissioner Flowers has no authority to write a letter on behalf of all commissioners. Commissioner Flowers said she has not written the letter yet, but intends to do so in her capacity as a private citizen and that she will not represent herself as speaking for the District or its Board of Commissioners.

**C. Conveyance of Porpoise Point Lot**

Commissioner Flowers said the owner of a lot in Porpoise Point Subdivision wishes to donate the lot to a government agency and she asked if the board would support such an

action.

Vice-Chairman Rivers said he contacted a representative of the subdivision who informed him the record owner of the lot wishes to avoid paying homeowner association fees for the lot because it is located in the inlet. Mr. Bedsole said the property appraiser's website shows the lot lies under water. He added that nothing can be done with the lot and that liability from casualty losses and HOA fees would flow to the District if it takes ownership of the lot.

**A motion by Commissioner Flowers to further investigate accepting a gift of the inundated lot died for lack of a second.**

**D. Membership in the Florida Association of Special Districts**

Vice-Chairman Rivers said membership in FASD has advantages for small districts such as access to lobbyists and informative meetings where useful information is shared. Annual dues are \$150.

**A motion by Commissioner Flowers to renew membership in FASD was seconded by Commissioner Way and unanimously approved.**

**12. OLD BUSINESS**

**A. May Street Boat Ramp**

Commissioner Flowers said the contractors she spoke with regarding her proposed May Street boat ramp were unable to attend the meeting and that she was advised by them that a building permit would be required from the City of St. Augustine.

David Birchim, Director of Planning and Building for the City of St. Augustine, addressed the board and stated the project would be very complex and would be subject to review and approval by the City. He said the first step is to obtain written permission from the Florida Department of Transportation for the use of its right-of-way. Next, a design for the project must be approved by the City's Planning and Zoning Board, then a permit could be issued and contractors retained. He said talking to contractors at this point is premature for such a project.

Commissioner Flowers said the project is to repair a boat ramp that already exists. Mr. Birchim said he was not aware of any boat ramp there nor had any plans been presented to the City.

Vice-Chairman Rivers said he was against the project because the public was already using the area as a canoe and kayak launch and because it floods with each high tide. He said it would be a waste of tax money to improve it.

Mr. Birchim said the development process for such a boat ramp would be the same as for any other commercial project.

Vice-Chairman Rivers called for a motion to take action on the item and no motion was forthcoming.

**B. Zip tie locks for marine sanitation devices**

Commissioner Brown said this item had already been discussed during government representatives' comments.

**13. PUBLIC COMMENT**

NONE

**14. COMMENTS BY COMMISSIONERS**

Vice-Chairman Rivers announced there will be an event next Saturday from Noon to 2 PM at the Plaza in St. Augustine for the National Day of Prayer for our nation.

**15. NEXT MEETING:**

October 20, 2020, was announced as the next meeting date. After the meeting adjourned, the Secretary as informed by the City Manager of St. Augustine Beach that the room would not be available on that date due to early voting. As a result, **the next meeting will be on October 14, 2020 at 3:00 PM in the St. Augustine Beach City Commission Room.**

**16. ADJOURN**

There being no further business, Vice-Chairman Rivers adjourned the meeting at 4:22 PM.

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Secretary-Treasurer

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Chairman