

ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT

MINUTES OF REGULAR MEETING

Tuesday, November 15, 2011

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, November 15, 2011.

CALL TO ORDER

Chairman Jerry Dixon called the meeting to order at 3:04 p.m.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Chairman Jerry Dixon, Vice-Chairman Tom Rivers, Commissioners Barry Benjamin, Herb Rippe and Jay Bliss were in attendance. The meeting was also attended by District Counsel Jim Bedsole, Secretary-Treasurer Dennis Bell, and Dr. Steve Schropp and Dr. Rajesh Srinivas of Taylor Engineering.

SECRETARY-TREASURER'S REPORT

The Treasurer's report was delivered by Elyse Kemper, Assistant Secretary-Treasurer. As of October 31, 2011, \$1,400 has been spent with the City of St. Augustine Police Department and \$1,171 with the St. Johns County Sheriff's Office. These amounts were the only committed funds spent since the new fiscal year began October 1, 2011. Funds available October 31, 2011 totaled \$1,722,698 less committed funds of \$251,869 and those confined in Fund B of the Florida Board of Administration of \$41,704, for net available funds of \$1,429,125. Total taxes levied in 2011 equal \$368,165 of which \$7,081 had been received. Total funds available as of November 9, 2011 were \$1,684,518.

Commissioner Bliss commented he was relieved the District would eventually be getting its money back out of Board of Administration Fund B. Commissioner Rippe asked Ms. Kemper if the District would receive all of its share of delinquent taxes from prior years. Ms. Kemper said not all the taxes would be paid because some certificates fail to sell and the

County ends up holding them. Also, the tax collecting agencies take a portion of the money as a collection fee, somewhat diminishing the District's portion.

APPROVAL OF MINUTES

On a motion by Vice-Chairman Rivers, seconded by Commissioner Benjamin, the Board unanimously approved the minutes of the October 18, 2011 regular meeting.

ENGINEERING REPORT

Dr. Steve Schropp delivered the engineering report on behalf of Taylor Engineering. Dr. Schropp said St. Johns County has assigned Jan Brewer of their staff to coordinate the restoration of the Summer Haven River, although the extent of the county's involvement is still undetermined. He said he will send her a copy of all the reports Taylor has generated on the project and will be giving the Board regular updates.

Chairman Dixon said he was contacted by Bob Brantley of FDEP who said the agency has worked out an agreement with all interested parties to allow the dredging of the St. Augustine Inlet to proceed. The District was not a party to this latest agreement. In it, FDEP agreed to update the existing Inlet Management Plan at its own expense. FDEP intends to hold two public hearings on the matter. Brantley said enough information is already available to allow an update to proceed.

Dr. Schropp said the first IMP was produced by Taylor for the District in the late 1990's and made recommendations for management of the inlet. FDEP then used that study as a basis for its own recommendations regarding the inlet. Now, FDEP will prepare an update based on studies by FSU, ACOE and other entities.

Commissioner Rippe asked Dr. Schropp what role the District would have in this. Dr. Schropp said the District is the local sponsor of the inlet and would normally contribute funding. This time, however, the District will only provide review and comment on the FDEP's work. He said the object of such plans is to mitigate the downdrift effects of inlets and to move sand back to appropriate beaches to offset adverse impacts. In response to questions by Commissioners Rippe and Dixon, Dr. Schropp said the object of dredging is to make the inlet safe for navigation. An inlet will immediately begin to re-adjust itself after dredging and the effects of re-adaptation are difficult to predict. In response to comments by Commissioner Rivers, Dr. Schropp said advertisements for the public hearings will likely focus on the Inlet Management Plan aspect, rather than the interests of any particular group of stake-holders, such as those claiming erosion results from dredging.

OLD BUSINESS

District Counsel Jim Bedsole presented the Board with a map showing four parcels of property owned in fee by the District. Three are situated on the west side of the Intracoastal Waterway adjacent to the Vilano Causeway and a fourth parcel comprises the strip of land on which the south bank of St. Augustine Inlet is located.

Mr. Bedsole detailed the history of the District's land holdings in St. Johns County beginning with a deed from the Trustees of the Internal Improvement Fund of the State of Florida in 1941 and the original court order validating the bond issue of 1939 which funded the creation of the St. Augustine Inlet.

Mr. Bedsole said that certain permanent spoil and dredge easements held by the District also exist on the banks of the San Sebastian River within the City of St. Augustine. A full written report will be provided the Board at a later date.

NEW BUSINESS

A. Extension of Taylor Engineering Contract

Dr. Schropp then discussed his firm's request for the extension of their consulting contract for the next two years. Taylor is proposing the same contract with an amendment (No. 43) which would raise their rates 2.5%, generally. Commissioner Benjamin said he has done a due diligence review of Taylor's services and believes that the increase is warranted by their expertise and responsiveness.

Commissioner Benjamin moved to approve the amendment, which was seconded by Vice-Chairman Rivers.

Commissioner Dixon said he agreed with Commissioner Benjamin. Commissioner Rippe said he was not in favor of increasing the rates because the District budget is actually down 6.6% this year. He said he likes Taylor and wants to keep them but was in favor of no increase and a one-year contract. Commissioner Dixon said Dr. Schropp does most of the Port's work and that his rate is actually lower by 7.9% in the new contract and their regular services are capped at \$2,000 per month. Commissioner Benjamin said it is important to be able to call and receive timely responses to his questions, and that comparing year-to-year costs may not be fair because of the way projects arise.

Commissioner Bliss said he would like to see a comparison of Taylor's billing for the last three years and that he agreed with Commissioner Rippe that an increase at this time was unwarranted.

On a roll-call vote, the contract amendment was approved 3 to 2, with Commissioners Rippe and Bliss voting against.

Chairman Dixon then requested the Secretary to produce the last five years of Taylor's billing records for review by commissioners.

B. Funding request-Vilano Beach Fishing Pier Floating Dock Addition-Wil Smith

Wil Smith appeared on behalf of St. Johns County to discuss the funding of the Vilano Floating Dock. He said the county is expecting a \$160,000 cash contribution from the District and that another \$160,000 will come from FIND. He said the county will treat the

money as unanticipated revenue and will return any unused funds to the District at the conclusion of construction.

Commissioner Bliss said he would like to condition the award of a construction contract on the use of as many local contractors as possible. Commissioner Rippe said he believes the project will be good for Vilano Beach but that he has been very disappointed that some of the local Vilano businesses have not chipped in to pay for the project. He said he contacted many of them and that only the mildest interest was shown. He and Commissioner Dixon pointed out the new budget sets aside only \$78,000.00 for this project.

Both Commissioner Benjamin and Chairman Dixon reminded the Board that it had committed these funds last year when the issue was first brought up by Mr. Smith. Mr. Smith added that the county needs the District's matching half of the funds before FIND will provide the other half. He said the job is scheduled for bidding in December of 2011 with work to begin in early 2012. Mr. Smith added that he did not believe the project would require the entire \$320,000.00 to complete. In response to questions by Commissioner Rippe, Mr. Smith said the county is contributing no funds to the project. Commissioner Rivers said he wants to go ahead with funding because the new grocery store on Vilano will be opening in January, 2012.

Commissioner Rivers moved to amend the budget for the expenditure of \$160,000.00 for the Vilano Beach Fishing Pier Floating Dock addition as presented by Wil Smith. Commissioner Benjamin seconded.

Mr. Smith said the County would accept the District's contribution only after the Board of County Commissioners had agreed to refund any extra to the District.

Commissioner Bliss said he wanted to confine a portion of the cost to in-county participants. Chairman Dixon said the county should refuse to become the contractor because of warranty issues if private contractors are not used.

On a roll-call vote to amend the current budget to allow \$160,000.00 to be allocated to the Vilano Beach Fishing Pier Floating Dock, the measure was unanimously approved.

Commissioner Benjamin then moved to approve \$160,000.00 matching funds for the Vilano Beach Fishing Pier Floating Dock addition with the stipulation any unused funds will be returned to the District. Commissioner Rivers seconded the motion, which was unanimously approved.

Mr. Smith thanked the Board for their contribution to the project and for their commitment to the Vilano Beach community. He then said he would bring a county staffer to a future meeting to explain the bidding process.

PUBLIC COMMENT

Lt. Steve Zukowski, Florida Fish and Wildlife Conservation Commission, reported on the status of a number of derelict or at-risk vessels. He said the boat with the shredded jib in

North River was due to be moved out of the county by its new owner. Another boat, a ferrocement vessel, has been declared derelict and is set for a hearing in County Court soon. Another boat reportedly sank in the Intracoastal Waterway but has yet to be located and tagged. he also discussed regulatory signage slated for the Vilano Bridge and Bridge of Lions.

Pierre Pierce of St. Augustine said there had been interest recently by groups advocating the National Park Service take over the local beaches. He said the National Park Service has a history of severely limiting public access to beaches and that he thought it was a bad idea.

Linda Ginn, Gene Johnson Road, Summer Haven, presented the Board with copies of an informational video she produced to use in fund-raising for the Summer Haven River restoration. Chairman Dixon said the District's budget has already allocated funds for project permitting, but not for construction.

B.J. Kalaidis, St. Augustine, said she was in favor of giving Vilano Beach floating dock bid to the lowest bidder to save taxpayer money. Chairman Dixon said bidders first need to be qualified, then priced competitively.

COMMENTS BY COMMISSIONERS

Commissioner Rippe said he was in favor of spending for the Vilano Beach floating dock because of the Board's prior commitment, but that he was very disappointed that no one from the Vilano community even tried to solicit funding from other sources, including St. Johns County, and that he would not vote for a budget amendment again. He said this is the second year in a row the District has spent more than its income and that he wants to see a fundamental change in the way the District sets its budget.

Chairman Dixon said the Board committed to the Vilano Beach floating dock project because the county would not have applied for assistance from FIND without a commitment from the Board. He also said he was confident the District's half of the project would be far less than the amount committed.

Commissioner Benjamin said the North Shore Improvement Association had donated \$5,000.00 to the project already. He said the St. Augustine Yacht Club's brochure for the Regatta of Lights has a tiny logo for the Port and that the money spent each year on that event is not worth the advertising the District gets.

Vice-Chairman Rivers said the changes in Vilano Beach are beautiful and well worth the expense. He said the Board did the right thing regarding the floating dock and that it will pay off in increased taxes.

Commissioner Bliss said the impact of the floating dock will be very positive but that the City of St. Augustine was creating a problem for boaters by over-regulating local waters and trying to compete with private enterprise.

NEXT MEETING

The Chairman announced the next regular meeting is scheduled for Tuesday, December 13, 2011, at 3:00 p.m. in the same location.

ADJOURN:

There being no further business, Chairman Dixon adjourned the meeting at 5:30 p.m.

Secretary-Treasurer

Chairman

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