

**ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT**

**MINUTES OF REGULAR MEETING**

**Tuesday, November 20, 2012**

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 20, 2012.

**CALL TO ORDER**

Vice-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**

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

Commissioner Chuck Hennessey was then sworn into office by District Counsel.

**SECRETARY-TREASURER'S REPORT**

Secretary-Treasurer Elyse Kemper reported that as of November 15, 2012, District funds totaled \$1,712,660 less \$238,565 in committed funds, yielding net available funds of \$1,474,095. The District operating account contains \$2,517 but tax revenues are expected to begin to accrue in November and December and will create greater cash availability for use by the District.

**APPROVAL OF MINUTES**

Commissioner Bliss requested an amendment to the draft minutes of October 16, 2012 to state on Page 3 a further comment by Harbor Master Sam Adukiewicz, City Marina that a vessel in the entrance channel to the St. Augustine Inlet had reported six feet of water under his two-foot draft keel. Otherwise, the minutes of October 16, 2012 were approved.

## **ENGINEERING REPORT**

Dr. Steve Schropp delivered the report on behalf of Taylor Engineering. Dr. Schropp reported the Number 4 marker on Salt Run fell down and was recovered on the beach at Salt Run. Chairman Dixon authorized hiring Yelton Marine Construction to replace the marker.

Dr. Schropp said he recently had a telephone conference with Linda Ginn and FDEP officials regarding the permit for the Summer Haven River restoration. The last permit issue is the least tern nesting area which has developed there, but Dr. Schropp said the general attitude of the agency remains very positive toward granting the permit.

In response to questions by Vice-Chairmans Benjamin, Rippe and Bliss, Dr. Schropp said the permitting process may reach the notice of intent to issue stage by late January, 2013. He said possible relief funds from Hurricane Sandy would not help fund permitting but may yield aid for project costs, if anything. Also, dredging permits held by the City of St. Augustine for dredging Salt Run and the San Sebastian River may qualify for automatic extension.

## **OLD BUSINESS**

### **A. Dolphin Drive dredge update-Tim Ford.**

Jim Piggott, City of St. Augustine, addressed commissioners regarding the Dolphin Drive boat basin and confirmed the City holds an expired permit to dredge there. He said reviving the permit is definitely possible and that the contractor will need \$35,750 to dredge 1,555 cubic yards of sand from the mouth of the basin. He said the dredging in 2005 was in the basin itself and that the current funding would open the access to the basin to and from the Intracoastal Waterway.

**A motion was made by Vice-Chairman Benjamin, seconded by Commissioner Rippe, to approve the request.**

Commissioner Bliss asked whether any attempt had been made to obtain funding from the City or from the Florida Inland Navigation District. He said the District had a very small income and this represented a relatively large expense. He said the District should seek to cooperate with other funding sources. Mr. Piggott said the FIND grant process has closed for this year and that the City will bear the cost and expense of the application for a permit as well as management of the job.

Commissioner Hennessey asked whether the affected homeowners could contribute money to the project. Tim Ford responded the homeowners are paying for the 2005 project through a special tax assessment of \$1,200.00 per parcel each year until 2026. FIND said it could not pay for any of the project because it was outside the navigation channel.

Commissioner Rippe said he would like to support the request but was concerned because the District alone was paying for the project with ten percent of its entire budget for the year. Also, the project would not benefit the District community at large but only those living

adjacent to the project. Vice-Chairman Benjamin said very few people live on the Summer Haven River but the District is spending a lot of money to restore it and that the District funds less important causes, such as the Regatta of Lights and annual boat show.

Commissioner Bliss said he was concerned because this project would set a precedent for the District to dredge access to private waterfront properties. Mr. Ford said the basin is used by transient boaters for access to the local market and by nature tour operators for the viewing of wildlife. It is also used by fisherman and as a hurricane refuge for boaters.

**Vice Chairman Benjamin called for a vote on the earlier motion to approve the request by the City of St. Augustine for \$35,750 to fund dredging the Dolphin Drive basin. The motion passed unanimously.**

**B. Feasibility Cost Share Agreement of September 8, 2000 - Dr. Steve Schropp.**

District Counsel Jim Bedsole reviewed the recent request by the U.S. Army Corps of Engineers for reimbursement of cost sharing funds from the District based on a 2000 contract for a feasibility study of Salt Run. He said the Corps had requested over \$39,000 but this could be offset with District expenses and adjusted downward to \$23,715. Dr. Schropp said the District and Taylor Engineering have sufficient documentation to obtain the matching funds discount. Mr. Bedsole said authorizing this expenditure would require a budget amendment.

**A motion by Vice-Chairman Benjamin, seconded by Commissioner Rippe to approve a budget amendment authorizing payment of \$23,715 to the US. Army Corps of Engineers pursuant to the Salt Run Feasibility Study Agreement dated September 8, 2000, passed by a vote of 3 to 1 with Commissioner Bliss voting against.**

**NEW BUSINESS**

Commissioner Rippe said the National Oceanic and Atmospheric Administration (NOAA) is considering performing a depth survey of the St. Augustine Inlet, Matanzas Bay and San Sebastian River in the next few months. According to Commissioners Rippe and Hennessey, the survey will cover from north of the 312 Bridge, up the San Sebastian River to King Street, and out the Inlet. Commissioner Bliss added that the Coast Guard had forwarded a request from NOAA for information on the economic impact of local waters.

Bob Masterson, 164 Pelican Reef Drive, said he had spoken to a NOAA officer and offered to place a tide gauge on his dock in the Matanzas Bay. He said tidal data is always vital in marine surveys to ensure accurate depth measurement.

**PUBLIC COMMENT**

Officer Mike Pedonti, FWC, said he located the owner of a boat north of Robinson Creek and gave him twenty (20) days to refloat the vessel. To date, the owner has done nothing to remedy the problem. He said there is also a large steel barge beached in the Summer Haven area which was abandoned by a contractor. He said a court citation was issued and a date has been set.

Commander Steve Fricke, City of St. Augustine Police Department, presented commissioners with a check for \$588 in salvage proceeds from derelict vessels. Fricke said the City has returned about seven thousand dollars in salvage proceeds to the District in the course of the derelict vessel program. He then informed the board the City's only patrol boat is out of service because its engine must be replaced at a cost of twenty-four thousand dollars and the City has no funding for this purpose. He said the District receives good service from the City, such as the new mooring fields and the City's waste pump-out service for vessels. Commissioners directed Fricke to return the following month with more detailed information for consideration by commissioners.

### **COMMENTS BY COMMISSIONERS**

Commissioner Bliss said the due process system of removing derelict vessels takes too long and that there should be some way to impound boats immediately before damage to District waters is possible. Vice-Chairman Benjamin said it used to require years to remove a derelict and now it is a ninety-day process. He said the process is controlled by State law and improving it is a legislative problem, not one for the District.

Ken Krauter requested commissioners authorize an update of the District handbook and the production of an extra copy for Commissioner Hennessey. A concensus of commissioners agreed to allow Mr. Krauter's request.

### **NEXT MEETING**

The Vice-Chairman announced the next regular meeting is scheduled for Tuesday, December 18, 2012 at 3:00 p.m. in the same location.

### **ADJOURN:**

There being no further business, Vice-Chairman Benjamin adjourned the meeting at 5:15 p.m.

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Secretary-Treasurer

wk/rg/port/minutes11-20-12

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Chairman