

**ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT**  
**MINUTES OF REGULAR MEETING**  
**Tuesday, June 16, 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, June 16, 2020.

1. **CALL TO ORDER**

Chairman Barry Benjamin 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**

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

4. **ADOPTION OF AGENDA**

**A motion by Vice-Chairman Rivers to approve the agenda as prepared by Secretary Kemper was seconded by Chairman Benjamin and unanimously approved.**

5. **PUBLIC COMMENT:**

Ed Slavin  
Marco Klovanih

6. **GOVERNMENT REPRESENTATIVE COMMENTS**

Jim Piggott, Director of General Services for the City of St. Augustine, said the city is applying for another grant from FIND for dredging Salt Run and needs a commitment from the board for fifty thousand dollars in matching funds. In response to questions from Commissioner Flowers, Mr. Piggott said the dredging is competitively bid each year, and that two grants given to the city for a kayak launch and a police boat were cancelled so the District could re-allocate the funds to the repair of hurricane damage to the City Marina.

Sgt. Josh Underwood, SJSO, reported that last month, his agency responded to 5 marine accidents, issued 2 citations, and performed 22 marine sanitation device inspections. He reported the Coast Guard has begun repairing all the off-station buoys in St. Augustine Inlet. In response to questions from Commissioner Flowers, Sgt. Underwood said his agency has been advised by their attorney that they are not allowed to attach marine sanitation device locks and that only the boat owner may do so. All commissioners expressed concern for the sewage problem resulting from illegal dumping from live-aboard boats and for the lack of

an effective system of enforcement. Commissioner Brown volunteered to research enforcement methods used by other local governments in Florida and report back to the board.

Lt. Steve Zukowski, FWC, addressed the board and added his expertise that locking a marine toilet's door is considered legally securing the device. He reported there are no new derelict vessels in District waters. Several minor boat collisions have occurred at local marinas without injury to boaters. One small boat swamped in Matanzas Inlet without injury to the crew and the boat was recovered. The only serious injury occurred when the passenger of a personal water craft sustained a concussion after the boat's operator tried to jump the wake of a nearby vessel, and landed hard, causing the injury.

In fisheries, Lt. Zukowski said the federal ban on taking red snapper will be suspended for several days in the month of July. He lamented the fact that there is no minimum size limit beyond state waters, but cautioned that the minimum is twenty inches in state waters.

He said very large gatherings of boats have recently occurred in the St. Johns River with as many as a thousand vessels. These gatherings have necessitated increased patrols by FWC and other agencies because of the presence of intoxicated boaters, some of whom have been arrested for operating their vessels while impaired. Also, an FWC officer was recently shot to death in Hendry County after pursuing a motor vehicle hit and run suspect.

#### **7. SECRETARY-TREASURER'S REPORT**

Secretary-Treasurer Kemper delivered the financial report. As of May 31, 2020, the District had expended a total of \$195,829 for budgeted projects and \$94,798 for operating expenses. As of that date, the District had a total of \$2,430,175 on deposit, of which \$2,149,137 is available in reserve. A separate account for the Summer Haven River restoration project contains \$712.

#### **8. APPROVAL OF MINUTES**

**A motion by Chairman Benjamin to approve the minutes of the regular meeting of May 19, 2020, was seconded by Commissioner Brown and passed unanimously.**

#### **9. ENGINEERING REPORT: NONE**

#### **10. NEW BUSINESS**

##### **A. Funding Request for Artificial Reefs**

Doug Bataille of the St. Johns County Parks and Recreation Department requested the board to provide \$125,000 to help the county move 12,000 tons of concrete now on land owned by the Florida Department of Transportation. The concrete will be deposited eight miles southeast of St. Augustine Inlet in a 40 acre site known locally as the Andy King Artificial Reef. The site was approved by the Army Corps of Engineers many years ago and has received thousands of tons concrete bridge pilings since it was approved. The concrete has been stored on the current site since the replacement of three local bridges, and was donated

by contractors for use in the artificial reef. Recently, the storage area became the property of the Florida Department of Transportation and the department has demanded the county relocate the concrete or it will be recycled. The county has allocated \$375,000 for the relocation and is requesting additional funds from the District.

Former Commissioner Carl Blow recounted to the board the 16-year history of the off-shore reef project and touted the economic benefits of artificial reefs in general. He said the local artificial reefs provide hundreds of millions of dollars to the northeast Florida economy each year generated by fishing interests, suppliers, hotels, restaurants, boat retailers, and others, and that more than three thousand local jobs are here due to the presence of the reefs.

Commissioners and members of the public spoke in favor and against the use of District funds to benefit the reef. Commissioner Flowers said the reef is outside the District and money should not be spent outside the District. Chairman Benjamin and Vice-Chairman Rivers supported the project because it creates nearby habitat for fish which benefits the District's waters, and creates increased tax revenue for the District through its economic benefits.

**A motion by Vice-Chairman Rivers to table the issue until the next meeting was seconded by Commissioner Brown and unanimously passed.**

B. Discussion on use of official Port Seal in local advertising- Commissioner Flowers

Commissioner Flowers discussed the use by a contractor of the District's seal on the contractor's website where he described his business as a preferred contractor of the District. She said the contractor has no authority to use the seal and that the board should direct its attorney to issue a cease and desist letter to the contractor. Commissioner Way said he is acquainted with the contractor and that he asked him to remove the seal from his website, which was done. Vice-Chairman Rivers asked to place the issue on the agenda of the next meeting.

C. Discussion of implementation and use of zip-ties for sewage control - SJSO/Commissioner Flowers

Commissioner Flowers suggested this item had already been discussed and should be tabled. The item was then tabled.

**11. OLD BUSINESS**

A. Discussion/Vote on repairs to May Street boat ramp for kayak launch-Commissioner Flowers

Commissioner Flowers discussed information she obtained from the City of St. Augustine, the Florida Department of Transportation, and several local contractors as to the possibility of improving an area used by kayakers and small boaters under the Hospital Creek Bridge on May Street. She said the ramp should be for non-motorized vessels and that FDOT is

willing to lease the right-of-way along May Street for car and trailer parking for a de minimis annual fee. She estimated the improvements necessary would cost less than \$40,000 for grading and improving the area.

Commissioner Way said the area would be useful for kayaks but said it could become clogged by commercial kayak businesses. Vice-Chairman Rivers said the area is often inundated and this would quickly ruin any improvements made to the site. Lt. Steve Zukowski, FWC, said the Florida Department of Environmental Protection may have objections to the plan because of the site's proximity to mangrove trees. Commissioner Flowers said she will contact FDEP and find out if there is a problem. The item was tabled until the next regular meeting.

**12. PUBLIC COMMENT**

Ed Slavin  
Marco Klovanish

**13. COMMENTS BY COMMISSIONERS: NONE**

**14. NEXT MEETING:**

Chairman Benjamin announced the next regular meeting of the board will be held at 3:00 PM on Tuesday, July 21, 2020, in the St. Augustine Beach City Commission Room.

**15. ADJOURN**

There being no further business, Chairman Benjamin adjourned the meeting at 4:50 p.m.

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Secretary-Treasurer

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Chairman

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