

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

**MINUTES OF REGULAR MEETING**

**Tuesday, December 15, 2009**

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, December 15, 2009.

**CALL TO ORDER**

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**

Chairman Barry Benjamin, Vice-Chairman Carl Blow, and Commissioner Tom Rivers were in attendance. Commissioner Jerry Dixon was absent at the start of the meeting, but arrived at 4:00 p.m. for the remainder of the meeting. Commissioner Jay Bliss was absent. The meeting was also attended by the following staff: Dennis Bell, Secretary-Treasurer, Elyse Kemper, Assistant Secretary-Treasurer, District Attorney James E. Bedsole; Dr. Steve Shropp and Dr. Rajesh Srinivas of Taylor Engineering.

**SECRETARY-TREASURER'S REPORT**

Dennis Bell presented the Treasurer's Report as of November 30, 2009. Funds committed to listed projects total \$222,500.00, of which \$107,199.00, has been spent. Funds in the bank as of November 30, 2009 totaled \$1,891,877.00, of which \$115,301.00 is committed, leaving \$1,776,576.00 available as of that date. Commissioner Blow asked if the funds shown in the Florida State Board of Administration-Fund B should be shown as a credit, or should a note be inserted that the entry shows impaired assets, and Mr. Bell agreed he would insert a note to that effect.

**APPROVAL OF MINUTES OF REGULAR MEETING HELD ON Tuesday, November 17, 2009**

Regular minutes of the meeting of Tuesday, November 17, 2009, were presented. Commissioner Rivers asked that the speaker Genus be corrected to read Jeness. Commissioner Blow asked that his comment regarding the National Heritage Designation Resolution be changed to read the Port is considering supporting the project.

**A motion by Commissioner Rivers and seconded by Commissioner Blow to approve the minutes of the November 17, 2009 meeting, with the recommended changes, was unanimously approved.**

**KEN KRAUTER, CONSULTANT**

Mr. Krauter indicated he had nothing to discuss at this time.

**ENGINEERING REPORT**

Dr. Steve Schropp of Taylor Engineering discussed the following:

Salt Run Dredging: The City of St. Augustine has issued its Notice to Proceed to the dredging contractor and dredging should begin once the contractor obtains an agreement to use the Conch House as the off-loading site. The contract between the City and the dredging contractor has a 120-day construction period, but Taylor's contract with the Port to observe construction procedures is based on a 90-day period. If the project construction time exceeds Taylor's contract period, Taylor will request additional money to continue through the end of construction.

San Sebastian River Dredging: An RAI response is due December 17, 2009. Commissioner Blow, Luhrs and the City are developing an agreement to allow off-loading at Luhrs. The RAI response will note this possible location.

St. Augustine Mooring Fields: The St. Augustine City Commission approved the mooring fields and all permits are now in place.

Commissioner Blow said Luhrs is not in a position to give the City a permanent easement, but they are willing to give a temporary license to off-load. He expects to have the license signed by the next Port meeting.

## **OLD BUSINESS**

### **A. Philip Alia, Vivid Media Concepts**

Mr. Alia asked the Commissioners to complete a questionnaire and return them to him so that he can edit the website. The publicity resulting from the press release sent out last month included First Coast News television, The St. Augustine Record, Historic City News, and Ponte Vedra Recorder. He suggested that they consider another release in February or March, 2010.

Chairman Benjamin said he thought Vivid Media was doing a good job because he has had several reporters contact him, and received positive comments from constituents. He questioned whether the minutes for the September and October were located on the website, and Mr. Alia said he would check.

Mr. Alia provided a written analysis of publicity obtained from the Christmas Regatta of Lights. Despite inclement weather, there were twenty-eight boats and good attendance. Mr. Alia made several attempts to contact the Yacht Club prior to the event, but he received no response. He said that advertising coverage was not generally acceptable at the Regatta and made the following recommendations for future events:

- The invitation list should insure that appropriate people are invited.
- The Port logo should be prominently displayed as lead sponsor on any promotional material, flyers or invitations.
- There should be promotional signage at the event site at least one week prior to the event.
- A minimum of ten announcements should be made during the event.
- The Port logo should be included on all judge's sheets.
- The Port's website should be displayed at the award ceremony.
- All press releases should mention of the Port.
- Event insurance should be required.
- Future events should be highly monitored.

Commissioner Rivers noted the tent had a logo for the St. Augustine Yacht Club but not of the Port. Commissioner Blow asked if TDC has criteria for events. Mr. Alia said he would check.

## **B. Sgt. Dale Mitchell, 911 Waterway Addressing**

Sgt. Dale Mitchell, 911 Coordinator for the SJSO office provided the Commissioners with a proposal for the 911 waterway addressing. A total of 260 signs will be posted within the Port's boundaries. Signs will include the address and marker number for each beach location and a reference to the Port. A total of \$5,500.00 is needed for the entire project.

**A motion by Chairman Barry Benjamin seconded by Commissioner Rivers to approve of the proposal for 911 waterway addressing was unanimously approved.**

## **C. Resolution, re: National Heritage Designation.**

Robin Moore, 162 Nautilus Road, St. Augustine, said his appearance was to seek support for National Heritage Designation. He presented a proposed resolution of support which called for a feasibility study and draft legislation for review before final approval of the NHA by the Port. Chairman Benjamin asked if the Port's attorney had reviewed it. Mr. Bedsole indicated that he had not and reminded the board that this topic had come before them several times and the Board had never agreed on the content of a letter of support. He pointed out that the content of the draft letter of support previously presented was very different from the resolution before them.

Commissioner Blow said the purpose of his draft letter was to express concern that support could open the Port up to additional federal regulation. Chairman Benjamin said he would feel more comfortable with the support of the City first as the designation involves mainly historical matters rather than the waterways and beaches.

Jim Piggott, City of St. Augustine, indicated that the City is contemplating this project but has not made a final decision.

Commissioner Blow stated that he would make the changes recommended by the Board members and bring the draft letter to the next meeting for final vote.

## **D. Bob Moore, re: Inlet Dredging**

Bob Moore, 3840 Coastal Highway, St. Augustine, requested the Port's assistance in changing the inlet management plan. He stated the Army Corps of Engineers (ACOE) treats the inlet management plan as prohibiting placing sand north of the inlet. He said the inlet management plan language should be changed from "downdrift" to "adjacent or affected beaches".

At this point in the meeting, Commissioner Dixon arrived and joined the other board members.

Dr. Rajesh Srivinas, Taylor Engineering, said several studies are being conducted by the State and ACOE to place sand around the St. Augustine Beach pier to repair storm damage. State engineers have concerns about the effect the dredging would have on the beach north of the inlet and have asked the ACOE for more information before they will continue with permitting. It will be approximately another month before ACOE responds to DEP's requests.

DEP has commissioned Florida State University to do a study of the erosion and dredging that will not be ready for at least 2 years. ACOE is conducting a county-wide study to determine the problem areas for beach erosion such as South Ponte Vedra, Vilano Beach and Summer Haven. That study is at least two years from completion and will need to be appropriated by Congress.

He said to make sand available to the north beaches, there must be a revision to the current plan or a study that brings in all of the affected beaches. Merely changing the word "downdrift" to "adjacent or affected beaches" will not solve the problem. Nothing in the inlet management plan prevents DEP from giving ACOE a permit to put sand onto the north beaches in critical need, but it will require cost-sharing with the County. DEP officials have said they cannot make any changes to the inlet management plan without authorization from Congress.

Mr. Moore asked if today's problems would have occurred if the changes in the inlet structures set out in the inlet management plan had been implemented. Dr. Srivinas said he is not completely sure reconfiguring the jetties would eliminate the erosion.

Commissioner Dixon recalled that in 2000, the City of St. Augustine Beach pushed for the funding from Congress to save its beach. He is now observing the same enthusiasm coming from the north beach areas, and that is what is needed to make it happen.

Dr. Srivinas said 3 million cubic yards is the upper estimate of what will be needed, though it might realistically be between 1 million to 3 million cubic yards. Commissioner Blow asked if DEP might agree to place sand from the ebbshoal onto the most critical areas on the north beaches. Dr. Srivinas said that a permit would be needed to place the sand on the north beaches, and that would take at least one year.

Commissioner Blow said that the best thing that could be done for Mr. Moore and his neighbors is to continue to monitor and push for completion of the various studies, even though it would still be one to two years before any results were available.

Chris Tompkins, St. Johns County Engineering, said that the north beaches are now in a federal study which will take years. The County writes several letters per year to ask for congressional appropriations. He projects that the process may take 8 to 10 years.

Mr. Moore said he thought an emergency permit had been obtained to place sand in those areas. Mr. Tompkins said that a few years ago, DEP did have extra funds for emergency berm conditions, and South Ponte Vedra Beach qualified. But, the process required a match of local funds which could not be found and the permit expired.

Andy Ames said that the County's 2009 annual request letter to all local representatives sent out every January included a request for inlet study and jetty functions, which coincides with the requests made by Taylor Engineering. Chairman Benjamin said that the Port will continue to monitor the ACOE and the FSU studies which should be concluded next month. Andy Ames said he will work with Dr. Srivinas to compile the results of those studies and report to the Port when the information is available.

#### **PUBLIC INPUT:**

Steve Zukowski, Fish and Wildlife Commission, reported the agency had repositioned some of the marker signs under the 210 bridge. He said bridge areas are too deep and, when the tide is ebbing, buoys are below the surface. Commissioner Blow asked about placing signs on the bridges and Officer Zukowski said that bridge signage is not an ideal remedy. Officer Zukowski also discussed changes in the federal shallow water grouper and vermilion snapper bag limit regulations.

Commander Barry Fox, SAPD, said that the steel trawler has been removed from Salt Run and is on land now. He also said the boat behind the National Guard is scheduled to be removed and there are seven other boats which are out to bid to be removed in Salt Run.

Jim Piggott said the City will be pursuing a pilot program allowing five municipalities to propose regulations for mooring fields. Beginning March 1, 2010, the City will conduct monthly waterway boat counts. In 2011, the data is submitted to FWC and the five municipalities selected. The pilot program will continue three years. At the end, ordinances established by the five may be incorporated into law. The mooring fields should be ready sometime next April. Chairman Benjamin asked about usage fees. Mr. Piggott said that a county resident discount will be offered, as well as a discount based on the location of the

boat and whether the owner is living on the boat. All boats located in the mooring fields are required to maintain \$300,000 liability insurance with salvage.

Commissioner Blow said if the City is in this program, it can regulate boat activity in the areas outside of the mooring fields. This would prevent boat owners from anchoring just outside of the mooring field or anchoring close to docks. Commissioner Blow produced a draft letter to the Chairman of the FWC asking that the City be accepted into the program. Chairman Benjamin said the program was a very good idea and recommended the Port support it.

**A motion was made by Commissioner Dixon seconded by Commissioner Rivers authorizing Chairman Benjamin to sign the letter in support of the City's application to the pilot program was unanimously passed.**

### **NEW BUSINESS:**

#### **A. Bridge of Lions Artificial Reef.**

Commissioner Blow related that the County was required to permit a new reef site for bridge debris, and a site has been established seven miles east southeast of the sea buoy. When this permit was issued, it failed to include the ability to place the reef material on the site throughout the year, due to Skanska's schedule. As a result, a re-application became necessary. Meanwhile, Skanska became concerned about not being able to dispose of the bridge on schedule and commenced alternate plans. At this time, the deck of the bridge is to be recycled rather than placed offshore, and Commissioner Blow is working to have the pilings reserved for the artificial reef. He indicated that he may need to request using funds set aside for the artificial reef (\$20,000.00) to defer Skanska's cost in taking the pilings offshore. He and Will Smith are still in negotiations with Skanska and a status meeting is scheduled in early January, 2010.

#### **B. Taylor Engineering Annual Contract**

Dr. Steve Schropp presented an amendment to the Taylor Engineering contract which extends their contract for a two (2) year period and specifies their labor rate will not be increased for one year. Dr. Shropp thanked the Board for allowing Taylor Engineering to continue to serve the Port.

**A motion made by Chairman Benjamin and seconded by Commissioner Rivers to accept the Taylor Engineering contract, with the insertion of the monthly services cap amount of \$2,000.00, was unanimously approved.**

### **C. Annual Board Reorganization.**

Chairman Benjamin indicated that normally the Board remains the same for a two-year period. The current Board has been in place for one (1) year.

**A motion by Commissioner Rivers and seconded by Commissioner Dixon to re-elect Barry Benjamin as Chairman and Carl Blow as Vice-Chairman, was unanimously approved.**

### **D. Comments by Commissioners.**

Commissioner Rivers said that he enjoyed the Christmas party at Taylor Engineering. He enjoyed meeting Mrs. Taylor and thought he made a good decision to attend the party rather than weather the elements for the Regatta.

Commissioner Blow reviewed actions taken by the Board throughout 2009, including completion of the Lighthouse Park dock, boat ramp and dredging progress on Salt Run, the San Sebastian River Channel and progress in spoil disposal, removal of derelict boats in partnership with the City of St. Augustine, funding of County and City Marine Patrols, providing new lifts for City Police and Fire boats, funding of two County surf rescue boats, and the Port's involvement with Council on Aging River House bulkhead. He invited the public to attend the public outreach meeting of the Florida Inland Navigation District at the River House on January 14, 2010. Its regular monthly meeting will be January 15, 2010 at 8:45 a.m. in the River House. Chairman Benjamin said that the River House is a beautifully constructed building with a great view. Commissioner Dixon said that the dedication of the River House was scheduled for January 20, 2010. Due to illness, he was unable to represent the Port as a judge for the Regatta of Lights, but hopes that in the future, a better weather cancellation plan will be in place.

### **NEXT MEETING:**

The next regular meeting was scheduled for Tuesday, January 19, 2010 at 3:00 p.m. in the same location.

**ADJOURN:**

The meeting was adjourned by Chairman Benjamin.

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Secretary-Treasurer

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Chairman

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