

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

**MINUTES OF REGULAR MEETING**

**Tuesday, August 17, 2010**

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, August 17, 2010.

**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 Jay Bliss arrived at 3:08 p.m. and Commissioner Dixon arrived at 3:10 p.m. The meeting was also attended by the following staff: Dennis Bell, Secretary-Treasurer, Elyse Kemper, Assistant Secretary-Treasurer, District Attorney James E. Bedsole, and Dr. Rajesh Srinivas of Taylor Engineering.

**SECRETARY-TREASURER'S REPORT**

Secretary-Treasurer Dennis Bell reported that as of July 31, 2010, the Port has committed funds of \$234,000 of which \$165,300 have been spent. Funds available as of that date were \$2,049,331, less committed but unspent funds of \$69,200, less Florida Administrative Fund B \$56,055, for a net available of \$1,924,076. Budgeted tax revenue of \$391,035 for Tax

Year 2009 is \$391,035 with \$388,443 received to date. Net funds available as of August 16, 2010 were \$1,899,275.

### **APPROVAL OF MINUTES**

Commissioner Blow requested the following changes to the July 20, 2010 minutes: on page 3, in the paragraph below the sentence “At this time, Commissioner Dixon arrived.”, Commissioner Blow asked that the second part of the sentence be deleted and the words “but had ultimately given the material to the City of St. Augustine.” be added. On Page 5, Paragraph C, he asked that Commissioner Bliss be added to the list of commissioners who voiced support for the TRIM rollback rate.

**A motion by Chairman Rivers and seconded by Chairman Blow, to approve the minutes of the July 20, 2010 meeting as amended, was unanimously passed.**

### **KEN KRAUTER, CONSULTANT**

There was no report.

### **ENGINEERING REPORT**

Dr. Rajesh Srinivas reported on behalf of Taylor Engineering. He said Marker No. 6 in Salt Run was reported by Commissioner Blow as damaged and that the piling had been replaced and the old sign had been used again. He said many of the signs in Salt Run have faded and may need to be replaced in the near future.

Also, at last month’s Port meeting, Dr. Srinivas suggested that it might be advisable for the Port District to make a budget request to DEP for funding to investigate the Inlet Management Plan up-date. Taylor informally checked with the DEP and determined there was a low probability of this request being funded. Dr. Srinivas said that Taylor therefore elected not to make the request. Chairman Benjamin said Taylor did the right thing to forego the request.

The City of St. Augustine and the dredge contractor have agreed in principle to allow the contractor to continue dredging in Phase Two of the Salt Run project based on a change order. Phase Two covers from the Conch House to Lighthouse Park and will dredge to a depth of eight feet below mean low water. Phase Two will remove a total of 13,500 cubic yards. Phase One has already removed 20,000 cubic yards. Dr. Schropp suggested the City of St. Augustine use the existing contract and issue a change order for the new work. Offloading for dredge material will be at the Lighthouse Park boat ramp. The new work will

require approximately 120 days and an additional \$38,750 for engineering services. Dredge costs will be charged at the existing per unit price.

Commissioner Blow distributed a written comparison of the cost of a change order for Phase Two versus a new bid and contract. According to the comparison, \$36,208 will be saved and significant delays will be avoided because the current contractor already has an approved final dredge spoil location and because no time will be required to advertise and select a new contractor. The current contractor has also agreed to maintain the unit price and “bulking factor” used to adjust the volume of material removed. Commissioner Blow said a new contract would also add costs for mobilization and demobilization of the contractor.

Jim Piggott, City of St. Augustine, agreed that money and time would be saved by using the change order approach. Other benefits included: the boat ramp will not be closed during dredging; R.B. Hunt School administrators have already given the project their consent; no traffic will be traversing residential areas; and, no dredging will occur on holidays or weekends.

Commissioner Bliss asked whether the Lighthouse Park parking area would be affected. Mr. Piggott said the spoil will be offloaded into either trucks or dumpsters on the boat ramp and that the parking lot would not be affected. Commissioner Dixon said the owners of the offloading site for Phase One had complained about the condition of the site after the project. Mr. Piggott said Phase Two includes a pre- and post-project survey to assure the offloading site is returned to its original condition.

Commissioner Bliss then quoted the Port’s agreement with the City of St. Augustine, which states “Whereas, the City provides staff fully capable of procuring and supervising dredging services”. Commissioner Bliss objected to providing funding for Taylor Engineering for those services. Commissioner Blow stated the City has no engineer capable of signing off on the project. Commissioner Dixon added the City bids the job and oversees pay requests but does not conduct technical aspects of the work.

Commissioner Benjamin stated he believed this is the lowest cost alternative.

**Chairman Benjamin then moved to approve the request by Taylor Engineering for additional funding of up to \$38,870 for engineering and construction administration services pursuant to Dr. Steve Schropp’s letter and proposal of August 13, 2010. Commissioner Blow seconded the Motion, which passed by a 4 to 1 vote with Commissioner Bliss voting against.**

According to Dr. Srinivas, the geotechnical information requested by FDEP regarding the

Luhrs dredge spoil offloading site was provided last week and completes the Port's information submittals. Within thirty days, FDEP should issue a notice the application is complete and issue the final permit within sixty days thereafter. The Corps of Engineers is ready to issue their permit as soon as FDEP issues its own permit. Both permits should be issued by the end of 2010. The permit will probably have a duration of five years.

Dr. Srinivas then clarified that "general services" billed to the District by his firm since July, 2009 have been about \$2,700, not \$27,000.00 as listed in the budget model used at the July, 2010 meeting when the Board discussed the TRIM process. He said the extra charges shown should have been allocated to the Salt Run dredging project, not general services.

## **OLD BUSINESS**

### **A. Andy King Artificial Reef.**

Commissioner Blow distributed copies of a newspaper article from the August 16, 2010 edition of The Lee County News-Press which discussed the economic benefits of the many artificial reefs in southwest Florida. According to the article, which cited studies by the University of Florida, artificial reefs provide thousands of jobs statewide and an economic impact of over 100 million dollars per year in Lee County, alone. Additionally, polls indicate a huge majority of Floridians favor the use of public funds for artificial reef development.

He then stated the Board has committed \$20,000.00 toward the artificial reef installed on the Flagler/St. Johns County line based on a representation by Flagler County that it would receive up to \$60,000.00 from FWC for the reef. Flagler received confirmation of a grant for \$51,750.00, which leaves the project short. Flagler now wants the Port to pick up the shortfall. This reef is costing more than the Andy King reef because the material has to be trucked from a storage area to a barge prior to sailing offshore.

In response to questions by Commissioners Dixon and Benjamin, Commissioner Blow explained the material for this reef is from the Summer Haven bridge project and is stored at St. Augustine Airport. Flagler County has given the Port credit for its contribution to the reef fund in all of its publicity, but Flagler County has not contributed any money to the project to date. Commissioner Blow said he would relate the Board's concerns regarding publicity and Flagler County's lack of contributions to their administration.

### **B. TRIM**

Assistant Secretary-Treasurer Elyse Kemper reported next year's budget will likely exceed revenues. She also said the \$200,000.00 certificate of deposit held by the Port would be

cash to fund the City's request for payment on the Salt Run dredge project. Ms. Kemper then announced the first public hearing on the budget would be at 5:05 p.m. on September 16, 2010. The final public hearing on the budget will be at 5:05 p.m. on September 30, 2010.

## **NEW BUSINESS**

### **A. ACOE Inlet Dredging**

Commissioner Blow introduced Andy Ames of St. Johns County's Engineering Department, who explained the two separate projects slated for the inlet. The first is the periodic dredging of the navigation channel inside the inlet and adjacent to the flood shoal. This is a maintenance project intended to make the channels comply with depth and width standards. The permit provides for the removal of 198,000 cubic yards from the flood shoal and as much as 561,000 cubic yards from the south tip of Porpoise Point. All of the material removed is to be placed on St. Augustine Beach. This will cost about \$4,200,000 in federal funds and about \$1,000,000 from St. Johns County.

Proceeding with the navigation dredging may mean insufficient funds remain for the second inlet project, beach renourishment using sand from the ebb shoal. Existing federal and matching funds will provide about 900,000 cubic yards from the ebb shoal. The ebb shoal project has been proceeding through an extended permit phase due to additional requests for information by FDEP. The federal funds allocated for these projects have been held since 2006 and may potentially be allocated elsewhere if not used soon. Least tern nesting season begins April 15, 2011, and any dredging of Porpoise Point would be required to halt on that date.

Commissioner Blow said the issue now facing the Port, the County and St. Augustine Beach is whether to go ahead and use available funds for flood shoal dredging while awaiting the outcome of the permitting process as to dredging the ebb shoal.

Commissioner Bliss asked if there was a way to get sand onto the north beaches. Mr. Ames said it could be done with private funds or with federal funds if a feasibility study found a justification. A third way is to use the north beaches as a site for depositing dredge sand. He added the ACOE is studying the beach renourishment cycle all the way north to the Duval County line. Dr. Srinivas said that the deposit of dredge sand is controlled by the Inlet Management Plan (IMP) which directs the disposition of sand to St. Augustine Beach only. He added that the issue of public access and public use also affects policy decisions regarding beach renourishment and that St. Augustine Beach rates higher because of the predominance of public use there versus the north beaches.

Commissioner Blow said the possibility of losing the existing funds if they go unused for too long is driving the need to opt for funding the flood shoal navigation project even though the ebb shoal would yield more sand per dollar.

Commissioner Rivers questioned the possibility of making the north beaches a spoil area. Mr. Ames said that would require a government partner such as FIND, and a FDEP permit. Dr. Srinivas said the only sources of spoil material are the two dredging projects currently pending and that both are restricted by the IMP to placing sand on St. Augustine Beach, only. An update in the IMP directing sand northward would be required before anything could be placed on the north beaches.

#### B. Signage/Recognition

Philip Alia of Vivid Media presented information on signage as a form of recognition for the Port. He showed the Board examples of signs of various sizes and materials and discussed prices. He said the choices are bronze, aluminum and sign foam, and that signs should be displayed prominently at boat ramps, marinas and other sites where the Port contributes funds. Jim Piggott said the City of St. Augustine uses a composite sign material that is resistant to ultraviolet rays and scratching. Mr. Alia said he will obtain more samples and bring them to the next meeting.

#### **PUBLIC COMMENT**

Lt. Steven Zukowsky of the Fish and Wildlife Commission (FWC) reported the owner of the derelict vessel north of the Vilano Bridge will be issued a citation next week and a request will be made to the City to remove the vessel. He said City officials recently rode with FWC staffers to review idle speed zones around the Bridge of Lions. FWC has tentatively suggested no new zone is required north of the bridge but that extending the zone to the south appeared feasible.

Pierre Pierce of St. Augustine displayed photographs taken from his vessel of two juvenile humpback whales breaching near the sea buoy. He said he volunteers for whale studies now conducted by Marineland focusing on vocalizations by cow and calf pairs.

#### **COMMENTS BY COMMISSIONERS**

Commissioner Dixon said the markers in Salt Run are in bad condition. Commissioner Blow said the Board may want to consider budgeting to replace them all although there is apparently no quantity price advantage.

Commissioner Bliss suggested moving the public comment portion of the agenda so that persons seeking an audience with the Board would not have to wait so long. A consensus of the Board agreed to move public comment to appear after “Old Business” on future agendas.

Commissioner Bliss mentioned a member of the audience had left the meeting and he believed he wanted to discuss a derelict vessel. He said a survey of all moored vessels in Salt Run last year revealed 35% were unregistered. He suggested the Port request local government to log all boats in District waters. Lt. Zukowsky said a full-time FWC officer had now been assigned to derelict vessel and harbor management activities and that part of his or her duties will be to create a log of all vessels moored in the area. Commissioner Bliss suggested the Port’s contributions to SAPD and SJSO of \$25,000 each per year should require their assistance in vessel identification.

Commissioner Bliss then asked Commissioner Blow to report on the Vilano boat dock. Commissioner Blow said the design is still in progress because of the unique requirements of the location and that the next step would be permitting and funding.

### **NEXT MEETING**

Chairman Benjamin announced the next regular meeting was scheduled for Tuesday, September 21, 2010 at 3:00 p.m. in the same location.

### **ADJOURN:**

The meeting was adjourned by Chairman Benjamin at 5:35 p.m.

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Secretary-Treasurer

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Chairman