

ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT

MINUTES OF REGULAR MEETING

Tuesday, September 21, 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, September 21, 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, Commissioner Tom Rivers and Commissioner Jay Bliss were in attendance. Commissioner Dixon arrived at 3:05 p.m. The meeting was also attended by the following staff: Elyse Kemper, Assistant Secretary-Treasurer, District Attorney James E. Bedsole, and Dr. Steve Schropp of Taylor Engineering.

SECRETARY-TREASURER'S REPORT

Assistant Secretary Elyse Kemper provided the report to the Board. Taxes received to date are \$389,000 with \$2,000 yet to be collected. This left a net total of \$1,932,117 available for use as of August 31, 2010. A \$204,000 certificate of deposit was cashed in this month to pay for Phase I of the Salt Run dredging project and \$15,000 was moved from State Board of Administration Fund A to the operating account. As of September 14, 2010, net funds available total \$1,727,357.

APPROVAL OF MINUTES

A motion by Chairman Benjamin, seconded by Commissioner Bliss to approve the minutes of the August 17, 2010 meeting was unanimously passed.

KEN KRAUTER, CONSULTANT

Mr. Krauter was in attendance but had no report.

ENGINEERING REPORT

Dr. Steve Schropp delivered the report for Taylor Engineering. Dr. Schropp said Phase II of the Salt Run dredging is underway and is going very well. About 12,000 cubic yards of material remain to be removed and the process should conclude on or before the scheduled end date of December 24, 2010.

The other active project is the permitting process for the San Sebastian dredging. The Florida Department of Environmental Protection will be issuing its notice of completion of application on or before September 24, 2010 and issue its notice of intent to issue a permit for the dredging within thirty (30) days thereafter. The Army Corps of Engineers has confirmed their application process is complete except for the issuance of the above FDEP notices.

OLD BUSINESS

A. SJC Inter-local Agreement for Marine Overtime - Commissioner Blow

Commissioner Blow introduced the topic by distributing a draft interlocal agreement with the Sheriff which includes new terms requiring SJSO to give more detailed information about the date, time and location of overtime services. Elyse Kemper explained this change was made because of requests by the Port's auditors for more information. She said the Sheriff's Office had used approximately \$14,000 in Port funds last year although the agreement budgets up to \$25,000.

Sgt. Jay C. Bucher, SJSO, said there is no full-time marine unit and that most of the time spent patrolling occurs within District waters on a Friday through Sunday schedule, as needed. Commissioner Dixon questioned whether the St. Augustine Police Department and SJSO worked together. He said the establishment of the Harbor Management Plan by the City had caused many boats to leave City waters. Commander Barry Fox, SAPD said the City's marine unit operates full-time, partly because of the harbor management plan and derelict vessel program. He added the City charges the Port a flat rate for officer time and vessel time based on guidelines used by the Federal Emergency Management Agency.

Sgt. Bucher said the SJSO has ordered a new vessel which is smaller, more fuel-efficient and much easier to maintain. Commissioner Bliss asked why the SJSO could not afford a full-time unit, whether their overtime was time-and-a-half and whether they were participating in the derelict vessel program. Sgt. Bucher said he had no information to share on the budget question, that officer pay was a mix of regular and overtime on the marine unit and that they were not participating in the derelict vessel program, although they had received some training this year.

Commissioner Dixon commented that the Port's contribution was intended to supplement funding for marine officers to increase their presence in local waters. Commissioner Blow said the money goes to hourly pay and payroll taxes, but not to retirement or workers compensation. Elyse Kemper said St. Augustine Police Department had spent less than \$5,000 this year. Commander Fox added details about the rates charged by St. Augustine Police Department for marine officers and vessels.

Commissioner Bliss said he wants the Port to fund identification of all vessels which are potentially derelict so that in the event of damage, the vessel's owner will be easily identified.

On a motion by Commissioner Dixon, seconded by Commissioner Rivers, the Board unanimously approved the interlocal agreement with the St. Johns County Sheriff's Department for \$25,000 funding for the 2010-2011 fiscal year, pursuant to the agreement.

B. SJC Rec. Department - Proposed Vilano Floating Dock - Will Smith

Will Smith of the County Recreation Department appeared and distributed a report detailing the initial funding of the Vilano floating dock planned for the west end of Vilano Road. He said the initial funding consisted of a \$10,000 grant from the Port, a \$10,000 grant from the County, a \$5,000 grant from the North Shores Improvement Association, and a \$25,000 grant from the Florida Inland Navigation District. This phase of the project will actually require \$52,807.50 for design and permitting, leaving a shortage of \$2,807.50, which he requested the Board pay.

Commissioner Blow said FDEP had been excessive in requiring a "flushing" study in an area cleaned daily by very heavy tidal flow. Commissioner Bliss asked how much the completed dock is projected to cost, and this figure was not available.

Vivian Browning appeared on behalf of the North Shores Improvement Association and thanked the Board for their involvement in the project. She said the dock will become a

valuable asset to the Vilano Town Center when it is built out and will have a positive economic impact on the community. Commissioner Blow said a similar dock in West Palm Beach had added considerable value to a once derelict downtown area and was a success for both local businesses and boaters who enjoyed its facilities.

On a motion by Commissioner Rivers, seconded by commissioner Blow, the request of the St. Johns County Recreation Department for additional funding of \$2,807.50 for the design phase of the Vilano floating dock was unanimously approved.

C. Water Access Signage/Recognition follow-up - Philip Alia

This item was tabled until the next meeting.

NEW BUSINESS

Commander Barry Fox, St. Augustine Police Department, reported the derelict vessel program had identified seventy-two (72) vessels and that half of that number have been removed. He said the program works very well, but that identifying owners of derelicts often delays removal. St. Augustine Police Department maintains a catalog of all of these vessels with vessel data, identification information and photographs.

Commissioner Bliss commented he was concerned about various vessels north and south of the City of St. Augustine because of the impression they may give boaters as they arrive in St. Augustine. Commander Fox replied that the Police Department has to operate within the law as it now exists and that often means the removal proceeds very slowly. He added that seven vessels have been targeted because of their owners' failure to remove them from the new mooring fields.

Commander Fox also pointed out St. Augustine Police Department's interlocal agreements with the Board are several years old and probably need to be revised. He said that the agreements should be reviewed annually for the benefit of all parties.

Elyse Kemper said a total of \$14,000 had been paid by the Port in the past fiscal year for derelict vessel removal. Payments are usually made for vender charges and a small amount of labor by the City of St. Augustine for vessel destruction.

District Attorney Bedsole said he would update the contracts with St. Augustine Police Department for overtime and for vessel removal and would provide drafts to the Board prior to the next meeting.

Lt. Zukowsky, Florida Fish and Wildlife Commission, reiterated to the Board his agency is working on the contract needed for the new boatlift for an FWC vessel at the City Marina. He said warning placards have been ordered for their use in the derelict vessel program. His agency hopes to have the program in operation within a month in St. Johns County and they will be making reports at each meeting of the Board. He also related a story about several people who narrowly escaped injury when a licensed captain took a small vessel for a joy ride out the St. Augustine Inlet during bad weather. The vessel came to rest on the beach north of the inlet and the captain may face charges. He said part of the problem may have resulted from navigation aids in the inlet which are off-station. Vessels attempting to navigate by GPS only will have great difficulty finding a deep channel through the inlet.

Lt. Zukowsky also talked about FWC's partnership with the National Marine Fisheries office in patrolling and enforcing in Florida's offshore waters. FWC patrols may venture far offshore to inspect fishing vessels to check for licenses and safety equipment, mainly.

He also mentioned the possible expansion of manatee zones in Flagler County and added that none are planned in St. Johns County because of the transient nature of manatee visits here.

PUBLIC COMMENT

There was no public comment.

COMMENTS BY COMMISSIONERS

There were no comments by the Commissioners.

NEXT MEETING

Chairman Benjamin announced the next regular meeting was scheduled for Tuesday, October 19, 2010 at 3:00 p.m. in the same location.

ADJOURN:

The meeting was adjourned by Chairman Benjamin at 4:53 p.m.

Secretary-Treasurer

Chairman