

ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT

MINUTES OF REGULAR MEETING

Tuesday, October 20, 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, October 20, 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:

All Commissioners were in attendance. The meeting was also attended by the following staff: Assistant Secretary, Elyse Kemper; District Attorney James Bedsole; Dr. Steve Shropp of Taylor Engineering.

SECRETARY-TREASURER'S REPORT:

Elyse Kemper presented the Treasurer's Report of September 30, 2009. The Report indicated that \$302,722.00 had been spent of \$402,565.00 committed. Funds available as of August 31, 2009 totaled \$1,805,347.00. Tax receipts for tax year 2008-2009 total \$382,861.00 with \$2,272.00 expected. Net funds available as of October 14, 2009 were \$1,728,919.00. She also advised that the Secretary had made a short-term transfer of \$50,000.00 operating cash from a certificate of deposit at Bank of St. Augustine to cover cash expenses prior to the end of the fiscal year. No penalties were incurred for this transfer.

APPROVAL OF MINUTES OF REGULAR MEETING HELD ON WEDNESDAY, SEPTEMBER 16, 2009:

Regular minutes for the meeting of Wednesday, September 16, 2009 were presented, but because all of the Commissioners had not received draft copies prior to the meeting, approval was tabled until the next regular meeting to allow full review by the Commissioners prior to

approval. Also presented was an Amendment to Minutes of Regular Meeting of Tuesday, August 28, 2009, which was unanimously approved.

A motion by Chairman Benjamin and seconded by Commissioner Dixon to approve the Amendment was unanimously approved.

KEN KRAUTER, CONSULTANT:

This item was tabled for the next meeting.

ENGINEERING REPORT:

Dr. Steve Schropp reported that all federal and state permits had now been obtained for the City of St. Augustine's mooring field design, and that the only item remaining was new or revised marker light placement by the Coast Guard. Also, plans for the dredging of the San Sebastian River had been initially reviewed by the Florida Department of Environmental Protection and FDEP had issued a request for additional information. Dr. Rajesh Srinivas of Taylor Engineering discussed plans for up-coming beach renourishment and said the Army Corps of Engineers is seeking a permit to remove sand from the ebb shoal at St. Augustine Inlet. The ACOE is planning to relocate three million cubic yards of sand and should have engineering studies completed by December, 2009.

Andy Ames, St. Johns County Engineering, said the ACOE is doing a feasibility study for work needing to be done throughout St. Johns County that may take two years to complete. Current plans for dredging of the Intercoastal Waterway include maintenance dredging in the latter half of 2010.

Commissioner Dixon commented that St. Augustine Beach had been working for some time to devise a remedy for beach erosion and that the ACOE had finally been given responsibility but had received no funding. Dr. Srinivas said the erosion occurring on the beach was because of a loss of half million cubic yards of sand each year to the inlet. He also said there was old data indicating some slight erosion north of the inlet, as well.

Commissioner Rivers said a group known as the Vilano Restoration Association was opposed to the removal of sand from the ebb shoal and that it would be worthwhile to look for sand from other sources. Mr. Ames commented that there was no money allocated yet by ACOE for detailed shoaling studies, but that such studies may reveal other sand sources which should be used for renourishment.

Commissioner Blow said there had been significant building of shoals in the ICW at Porpoise Point and Salt Run and that ACOE has done hydrographic studies. Mr. Ames said the quality of the sand in those areas was unknown and that the 2010 renourishment will use the ebb shoal. Some money for further studies has been made available through the American Resource and Recovery Act.

OLD BUSINESS:

A. Evaluation of Bids for Salt Run Channel Dredging.

Dr. Steve Schropp reported the City of St. Augustine had received six bids for the dredging of Salt run and that three had been “responsive” bids. Commissioner Blow provided a breakdown of the six bids and the alternatives built into the City’s request for bids. Bidders submitted proposals for ten, fifteen, twenty and thirty-one thousand cubic yard amounts so that the City would be able to utilize as much or as little dredging as desired. The original plan depended on a grant from the Florida Inland Navigation District of \$450,000.00. Commissioner Blow explained that this figure had to be cut because of tax revenue shortfalls for FIND, and that more dollars would be needed from the District to make up the shortfall. Other local projects funded by FIND money have also been cut, even more drastically than the Salt Run dredging grant. Commissioner Blow asked the Board to consider committing additional funding to the project for either a twenty or thirty-one thousand cubic yard contract. He also said he believes FIND will reimburse most of the extra expense next year.

Jim Piggott, Director of General Services from the City of St. Augustine, said the contracts had not been awarded and that the Board’s decision regarding additional funding would have an effect on which alternative the City finally chose, but that the money would not be needed until March, 2010.

A motion was made by Commissioner Benjamin to provide funding, approximately \$26,745.00, for the twenty thousand cubic yard alternative as represented by Commissioner Blow and Jim Piggott. The motion was seconded by Commissioner Dixon and passed unanimously.

B. Philip Alia: Questionnaire for the Commissioners, re: web-site.

Philip Alia of Vivid Media, advertising consultant to the District, presented a publicity development plan for future District advertising. He stated there have been multiple failures and difficulties with the District’s current web server and that the first step was going to be changing the web-site to a new server and updating the events and boating calendars. Some other additions will involve a “news ticker” with all the District’s projects listed and a set of

directions for those interested in making presentations to the Board. He also said the website could improve access to local boat ramp information and add links to local maritime organizations. Vivid media is preparing a news release for the next regular meeting and Mr. Alia asked Commissioners to provide him additional information through a questionnaire distributed at the meeting.

Commissioner Rivers requested Mr. Alia e-mail news releases directly to Commissioners.

PUBLIC INPUT:

Deputy Robert Taylor, St. Johns Sheriff's Office, appeared to ask for continued support in the coming year for SJSO's Marine Unit. SJSO is involved in derelict vessel identification and removal as well as patrolling local waters during holidays.

Commissioner Benjamin recalled that the original agreement with SJSO was to pay for overtime, but that he had seen invoices come in for parts and repairs, as well. Commissioner Dixon concurred the contract had originally been for overtime hours. Assistant Secretary Elyse Kemper advised that St. Johns County Sheriff's Office was under budget this year and that the budget limit was \$25,000.00.

Commissioner Blow brought up the recent thefts of boat propellers. Deputy Taylor said the District may be able to help by publicizing the need to protect marine assets.

Commander Barry Fox, St. Augustine Police Department, reported there are several derelict vessels scheduled for removal in the near future. He also reiterated that the District's interlocal agreement with St. Augustine Police Department pays for manpower only. Commissioner Fox reported his agency intends to begin a PFD give-away program in which boaters without proper flotation devices will be provided with loaner devices if safety requires, especially for juveniles. Commissioner Blow questioned why unprepared boaters could not be forced off the water and Commander Fox explained the complexities of law enforcement in this area.

Lieutenant Steve Zukowsky, Florida Fish and Wildlife Commission, further explained the difficulties of removing violators from the waterways. He also shared that derelict vessel removal is difficult for Fish and Wildlife, so they refer them to other local agencies, such as the St. Augustine Police Department, whenever possible. He said Fish and Wildlife searches the intercoastal first through an aerial survey to spot derelict vessels, then sends water units to check on-site. In other news, a Tampa fireboat ran aground in St. Augustine Inlet without damage. The accident was due to crew error. Also, several redfish, mullet and shrimping cases have been prosecuted.

NEW BUSINESS

A. Randy Brunson: Regatta of Lights (Boat Parade)

Randy Brunson appeared on behalf of the St. Augustine Yacht Club to request a donation of \$5,000.00 for this year's Regatta of Lights set to take place in December. Mr. Brunson reminded Commissioners that they gave the Yacht Club \$7,500.00 for last year's parade, or one-half of their budget. He said he had read and was aware of the recent Attorney General's Opinion regarding donations by the District and believed it would be legal for the District to give the money to the County Tourist Development Council who would then give it to the Yacht Club. He explained \$1,500.00 of their budget was exclusively for advertising.

Commissioner Benjamin questioned the propriety of giving District funds to an organization which was essentially providing entertainment. Commissioner Blow said he felt a certain amount of money could be given legally for advertising, but not the entire request. Commissioners Rivers and Bliss supported the request. At Commissioner Benjamin's request, the District Attorney gave an opinion indicating District funds could be spent on advertising, but that general sponsorship of an event such as the Regatta of Lights had been disapproved by the Attorney General in cases involving special districts.

On a motion by Commissioner Rivers to fund the entire Yacht Club request outright, seconded by Commissioner Dixon, the motion passed three votes in favor (Rivers, Dixon and Bliss) to two against (Benjamin and Blow).

B. No Wake Zone San Sebastian River Marker 9 or 10.

Lt. Steve Zukowsky, Florida Fish and Wildlife Commission, said his agency was considering altering some of the no wake zones on the San Sebastian and was soliciting input from the members of the Board. He stated the entire river is currently either no wake or slow zones and the agency may raise speeds in areas away from moored boats. He knows of no wake damage accidents anywhere on the river. Commissioner Benjamin stated he would prefer removing any limits on the area between Matanzas River and the first marina. Commissioner Blow concurred that the speed limit there is a County ordinance and the Fish and Wildlife Commission would probably not oppose delimiting speed there.

COMMENTS BY COMMISSIONERS:

Commissioner Bliss commented the District gave Council on Aging \$50,000.00 for its new building and he did not think giving \$5,000.00 to the Regatta of Lights was a problem. The

District Attorney said the \$50,000.00 was for the construction of a marine bulkhead on County property abutting Matanzas Bay.

Commissioner Rivers had a sample resolution for support of the Oldest Port National Heritage Area which he would provide to the District's Attorney, and asked that the topic be placed on next month's agenda.

NEXT MEETING:

The next regular meeting was scheduled for Tuesday, November 17, 2009 at 3:00 p.m. in the same location.

ADJOURN:

The meeting was adjourned by Chairman Barry Benjamin.

Secretary-Treasurer

Chairman