

ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT
MINUTES OF REGULAR MEETING
Tuesday, February 15, 2022

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, February 15, 2022.

1. CALL TO ORDER

Chairman Matt Brown called the meeting to order at 3:01, p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the flag of the United States of America followed.

3. Invocation

Commissioner Sandy Flowers gave the Invocation.

4. ROLL CALL

Chairman Matt Brown, and Commissioners Tom Rivers, Sandy Flowers, and Jane West were present. The meeting was also attended by Secretary-Treasurer Elyse Kemper and Clay Meek, General Counsel for the District.

5. ADOPTION OF AGENDA

A suggestion to amend the agenda by moving new business items 12F and 12G to a future meeting was made by Commissioner Flowers and Chairman Brown. **A Motion to approve the agenda with that modification was made by Commissioner West, seconded by Chairman Brown, and passed by a 4-0 vote.**

6. PUBLIC COMMENT

Ed Slavin

7. GOVERNMENT REPRESENTATIVE COMMENTS

Sydney Lindblad of St. Johns County Parks and Recreation Department updated a few matters. Vilano repaving was done and the next step would be landscaping. Doug Crane was out to bid. Butler West was out for design and in the black out period and construction was hoped to begin in the next fiscal year. March 1st was noted as the

start of beach season. Finally, the County was in the process of renewing its continuing contractor study.

Sergeant Josh Underwood of the St. Johns County Sheriff's Marine Unit appeared next. He advised that there were three vessels in Doug Crane for which the derelict process had been started. He also indicated there had been a boating accident in District waters on the day of the meeting, but would let Steve Zukowski address it since it was being worked by his organization.

Steve Zukowski, Patrol Supervisor Lieutenant, of the Florida Fish and Wildlife Conservation Commission ("FWC") spoke regarding several matters. Lt. Zukowski indicated that the boating accident involved a 39 foot motor boat with two white males that ran aground on the long sand bar East of the Pier around marker 31 at approximately 1:30, p.m., that day. Both males were injured, with one being taken to Memorial Hospital in Jacksonville. Questioning and discussion of anything that could be done to try to prevent further incidents occurred and it was noted that the boat had been traveling on the wrong side of the navigational aid and it would be difficult for any sign or markings to successfully fully apprise of the sand bar risk.

There were seven vessels in the FWC derelict system, four being worked by FWC and two being worked by the St. Johns Sheriff's Office. Of the four being worked by FWC, three were awaiting removal and the fourth was expected to be eligible for removal as of 5:00, p.m., that day. There had been ten at risk vessels in the system, with 5 having their issues resolved and being removed from the system, one pending a propulsion test, and the others currently waiting while owners were trying to be located.

Lastly, Lt. Zukowski updated fisheries. He noted that oyster harvesting was prohibited this time of year. A boat had been seen and confronted, with one person with a commercial license and one person harvesting recreationally without a license on the boat. The oysters were seized and charges placed accordingly.

Manatee deaths continued to be a significant issue in the state in general. There had been 150 to 170 deaths last week in Brevard County and manatee movement north was expected with warming weather and it was expected that some of the manatees moving north would die as well and plans had been made to deal with manatee carcass disposal locally. Commissioner West encouraged all to oppose the seagrass mitigation bill. Commissioner Flowers spoke in favor of

the pending bills that would result in a 25% pay raise for FWC officers. Lt. Zukowski indicated that he understood that the Police Benevolent Association "PBA" was anticipating tweaking that would result in a raise of well under 25%. Commissioner Flowers encouraged all to support pending legislation to improve law enforcement pay and call state representatives and senators.

8. SECRETARY-TREASURER'S REPORT

Secretary-Treasurer Kemper delivered the financial report. As of January 31, 2022, the District spent: \$401 for overtime hours of police officers of the City of St. Augustine and \$7,287 for overtime hours of deputies of the St. John's County Sheriff's Department. \$13,550 had been spent for St. John's County Radiation Detectors. The State Board of Administration account had a balance of \$23,173. The Operating Account had \$432,905 as of January 31, 2022. The money market account had \$1,500,000 in the reserve for projects and \$1,111,768 in addition. Taxes received as of January 31, 2022, were \$527,851.

9. APPROVAL OF MINUTES

Commissioner Rivers indicated the draft minutes should be changed from "Villano" to "Vilano" on page 4. **A Motion to approve the minutes of the January 18, 2022, regular meeting with that revision was made by Commissioner Rivers, seconded by Chairman Brown. Chairman Brown and Commissioner Rivers were in favor, Commissioner Flowers was opposed, and Commissioner West abstained. Approval of the minutes, as amended, was tabled to the following meeting.**

10. ENGINEERING REPORT

There being nothing to report upon, there was no engineering report.

11. OLD BUSINESS

A. Vote on Grant Application from the Matanzas River Keeper

The River Keeper was unable to attend due to unforeseen transportation problems. However, the prior presentation supporting the \$2,500.00 grant request was briefly reviewed and discussed. **A Motion to approve the grant request was made by Commissioner West, seconded by Commissioner Flowers, and passed by a 4-0 vote.**

12. New Business

A. Security & Search & Rescue Electronics Upgrade

Patric Harvey, Marine Operations Officer with the St. Augustine Police Department, spoke regarding a grant request for \$23,660.39 for equipment that would allow for better communication with other agencies and improve the City's ability to operate in limited visibility situations. The money would come from the District's unspecified marine projects funds. The cost of ongoing maintenance and upkeep of the equipment after initial purchase would be fully borne by the City of St. Augustine. **A Motion to approve the request was made by Commissioner Flowers, seconded by Commissioner Rivers, and passed by a 4-0 vote.**

B. Schedule New Time for Meetings

Commissioner Flowers expressed her interest in moving the location and/or date and time of District Commission meetings. After some discussion, it was agreed that Secretary-Treasurer Kemper would gather information on options for other dates and times with the City of St. Augustine Beach for consideration.

C. Port Consultant

Commissioner Rivers expressed continued interest in having a study/search for a consultant similar to Ken Crowder's role in the past. Mr. Crowder's rate was recalled as being \$100.00 per hour and Commissioner Flowers indicated she had pertinent information on the matter that all Commissioners should consider. The issue was tabled pending a review of items Commissioner Flowers agreed to give to Secretary-Treasurer Kemper to scan and forward to all other Commissioners for consideration.

D. Web-Site Redesign

The issue of a redesign of the web-site was reviewed by Chairman Brown, who noted some concerns/issues such as questioning the utility of listing past members and the potential benefit of providing a link to navigation maps. Commissioner West indicated that it should be a platform for information for other agencies and be more informative and compatible with mobile devices. Commissioner Rivers spoke in favor of a link/links to other agencies. Commissioner Flowers suggested it be redesigned/revised with the idea of better promoting the Port itself.

It was agreed that the best course of action would be to have a representative or representatives of Avid Design attend the next meeting to hear and address the questions, comments, and concerns of the Commissioners and the feasibility and potential costs of any changes. All Commissioners were to submit as many questions or concerns for Avid to Secretary-Treasurer Kemper in the next few days to forward on to Avid prior to the next meeting.

E. Clarification of Sunshine law Pertaining to E-mails

Commissioner Flowers expressed continued lack of understanding and referred to an Attorney General opinion and began yelling at General Counsel Meek and Commissioner West. Commissioner West made a Motion for a short presentation by General Counsel Meek on Sunshine Law at an upcoming meeting. The Motion was seconded by Commissioner Rivers and passed by a 3-1 vote, with Commissioner Flowers opposed.

H. Boating Infrastructure Grant

This agenda item was placed on the agenda at the suggestion of Commissioner Flowers. Rather than discuss the agenda item, Commissioner Flowers asked General Counsel Meek about two prior questions/memo requests on other topics, one by Commissioner Flowers and one by Commissioner West. General Counsel Meek responded and began explaining and reviewing that each of the requests had been timely responded to, during which response Commissioner Flowers interrupted with raised voice.

13. PUBLIC COMMENT

Ed Slavin

14. COMMENTS BY COMMISSIONERS

Commissioner Rivers thanked Commissioner Flowers for the invocation. Commissioner West spoke against the divisiveness in some meeting discussions, expressed an interest in looking at options for increasing public access to meetings through better parking and video access. Commissioner Flowers expressed that she preferred having meetings at the City of St. Augustine rather than at the City of St. Augustine Beach and stated that St. John's County had given approval to the Friends of Summer Haven to hire a contractor to alter a District project and Commissioner Flowers wanted the County to provide information to the District Commission on what was being done.

15. NEXT MEETING

March 15, 2022, was announced as the next regular meeting date. As such, the **next regular meeting will be at 3:00, p.m., on March 15, 2022**, at the St. Augustine Beach City Commission Meeting Room, 2200 A1A South, St. Augustine Beach, Florida.

16. ADJOURN

There being no further business, Chairman Matt Brown adjourned the meeting at 4:34, p.m.

Secretary-Treasurer

Commission Chairman Brown