

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

1. CALL TO ORDER

Chairman Matt Brown called the meeting to order at 3:00, p.m.

2. PLEDGE OF ALLEGIANCE

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

3. INVOCATION

Commissioner Tom Rivers gave the Invocation.

4. ROLL CALL

Chairman Matt Brown, Vice-Chairman Way and Commissioners Tom Rivers and Sandy Flowers were present. The meeting was also attended by Secretary-Treasurer Elyse Kemper and Clay Meek, General Counsel for the District. Ken Craig of Taylor Engineering, District Engineers, was present as well.

5. ADOPTION OF AGENDA

Chairman Brown suggested amending the agenda by combining new business items 12B and 12D into a single item of 12B and Commissioner Flowers suggested moving item 12F to a future meeting. **A Motion to approve those changes to the agenda was made by Chairman Brown, seconded by Vice-Chairman Way, and passed by a 4-0 vote.** Secretary-Treasurer Kemper suggested switching the order of items 12C and 12E. **A Motion to approve the revised agenda with that modification was made by Vice-Chairman Way, seconded by Commissioner Flowers, and passed by a 4-0 vote.**

6. PUBLIC COMMENT

Robert Hyttenhove spoke in favor of allowing the public to attend meetings by Zoom or other on-line, live-stream means.

7. GOVERNMENT REPRESENTATIVE COMMENTS

Nathan Otter of St. Johns County Parks and Recreation Department updated a few matters. The Minnie Street walkover and Orange Avenue walkover were currently being replaced on St. Augustine Beach and four more North of there (at 11th, 20th, Boating Club Road, and Surfside Park) would begin replacement soon.

"TREX" board-like material was being tried to see how well it held up to beach conditions and suggestions of other durable materials that might be tried were requested. Vice-Chairman Way spoke favorably of the TREX material and also suggested FRP material might want to be tried. All walkovers had to be done by turtle nesting season starting on May 1, 2022, but it was hoped that the actual completion would be by mid-April.

Commissioner Flowers asked about the status of the boatramp study. Mr. Otter indicated that the scope of services had been done for the Maritime Masterplan was now awaiting continuing services to put the scope of services out for bid. Commissioner Flowers claimed that nobody was happy with the County on this and repeatedly questioned and re-questioned Mr. Otter on the same matter. Mr. Otter politely answered the questions multiple times before having to say there was not anything left to cover.

Steve Zukowski, Patrol Supervisor Lieutenant, of the Florida Fish and Wildlife Conservation Commission ("FWC") spoke regarding several matters. Lt. Zukowski started with derelict vessel updates. Two more had been cleared for removal in the Doug Crane area in April.

There had been two noteworthy incidents. Two Sundays prior to the meeting a domestic violence incident had occurred on a boat North of Vilano with a women being thrown overboard and a juvenile being found to be on-board as well. That incident was being worked by the St. Johns County Sheriff's Office, FWC, and, later DCF. There was also an incident involving an airplane crashing short of the runway into the marsh. FWC and the Sheriff's Office responded and got the pilot out using the Sheriff's Office's airboat, but she passed away at the hospital.

There was nothing to report regarding fisheries. Regarding marine mammals, manatees were migrating North with the warming weather and there were no fatalities in the District area yet, but that was expected to change. The issue was with weakened and hurt

manatees migrating and being in such poor health that they die off. One recent incident with an injured manatee that could not properly submerge to eat was described with a manatee that was taken to the Zoo in Jacksonville for rehabilitation.

Lt. Zukowski described the pay raise for FWC that was approved, to include the new base pay of \$50,000.00, with other upward adjustments for officers earning more than \$50,000.00 already. Lt. Zukowski thanked Commissioner Flowers and everyone for all support in getting that done and indicated the raises were expected to help greatly with officer recruitment and retention.

Lastly, the "Flexing of the Fleet" was scheduled for April 10, 2022.

J.B. Miller, Land Management Coordinator of the City of St. Augustine, advised that Bird Island was being posted by the City of St. Augustine and FWC with no trespassing signs on March 25, 2022. It was noted that the signs were put on the entire upland part of the island, which was expected to be helpful to aviaries using the island.

8. SECRETARY-TREASURER'S REPORT

Secretary-Treasurer Kemper delivered the financial report. As of February 28, 2022, the District spent: \$2,081 for overtime hours of police officers of the City of St. Augustine and \$8,161 for overtime hours of deputies of the St. John's County Sheriff's Department. The State Board of Administration account had a balance of \$23,179. The Operating Account had \$466,950 as of February 28, 2022. The money market account had \$1,500,000 in the reserve for projects and \$1,111,868 in addition. Taxes received as of February 28, 2022, were \$578,887.

9. APPROVAL OF MINUTES

A Motion to approve the minutes of the January 18, 2022, regular meeting with the revision suggested by Commissioner Rivers at the February 15, 2022, meeting was made by Chairman Brown, seconded by Commissioner Rivers, and carried by a 3-1 vote, with Commissioner Flowers opposed. A Motion to approve the February minutes without revision was made by Commissioner Rivers and seconded by Chairman Brown. Chairman Brown and Commissioner Rivers were in favor, Commissioner Flowers was opposed, and Vice-Chairman Way abstained. Approval of the February minutes was tabled to the following meeting.

10. ENGINEERING REPORT

There being nothing to report upon, there was no engineering report. Commissioner Flowers asked about County activity. Ken Craig advised that he had no involvement in or knowledge of the claimed County project about which Commissioner Flowers was asking.

11. OLD BUSINESS

None

12. New Business

A. Web-site Redesign

Jennifer Reed of Avid Design Group was present and indicated she had reviewed all the comments submitted, which were submitted by Chairman Brown and Commissioner West. Many of the commented upon issues had already been addressed prior to the meeting and Ms. Reed indicated they were happy to work with the District to further redesign and update the web-site. She suggested having a single point person for the tentative redesign subject to review by the full Commission.

Commissioner Flowers indicated she had trouble pulling the web-site up functionally on a phone/mobile device and Commissioner Rivers indicated he had experienced similar issues. Vice-Chairman Way questioned Ms. Reed about the web-site's potential ability to host a live-feed and ideas for addressing it. Commissioner Rivers suggested that it would be good to have links on the web-site to and from other relevant governmental entities. The best person for the role of "point" person for the web-site appeared to be Commissioner West, but the Commission did not want to appoint her to that task without knowing if she objected. **A Motion to conditionally appoint Commissioner West, subject to her acceptance, to lead the tentative redesign, subject to final Commission approval of the redesign was made by Chairman Brown, seconded by Commissioner Flowers, and passed by a 4-0 vote.**

B. Schedule New Time and/or Day of Week for Meetings

Commissioner Flowers asked what had been learned about other options at the current venue for meetings. Secretary-Treasurer Kemper indicated that the City of St. Augustine Beach venue would be able to accommodate meetings at the same time of day without

limitation on how long the meetings went if the meetings were on the second, third, or fourth Thursday of the month or the first, second, or third Wednesday of the month. Vice-Chairman Way asked how long the current date/time had been in place and Ms. Kemper indicated it had been at least 25 years. Chairman Brown and Vice-Chairman Way each noted that later meetings might cut into the ability of governmental representatives might be able to attend. Question then arose as to the extent a new meeting day/time might conflict with other governmental entities. It was noted that the City of St. Augustine Commission met on Mondays and it was unknown as to when other entities such as Mosquito Control or the School Board met. Ultimately, it was agreed that the meeting days and times of the other governmental entities should be looked at as well as the potential days/times with everyone's schedules before further considering moving the current date/time of District meetings to attempt to prevent conflicts for the public. General Counsel Meek indicated he would be forced to resign due to other commitments if the meetings were moved to the fourth Thursday or third Wednesday. Vice-Chairman Way and Chairman Brown each indicated they would not be in support of any new date/time that would be a conflict for any Commissioner or the Secretary-Treasurer, District Engineer, or General Counsel. It was ultimately agreed that the agenda item would be continued to the next meeting for further consideration.

C. Secretary/Treasurer Retention

A discussion was had that Ms. Kemper was leaving her firm under good terms in the relatively near future and that her soon to be former firm did not wish to provide ongoing Secretary-Treasurer services. Ms. Kemper was willing to continue to provide the Secretary/Treasurer services she had been providing to the District under the same terms and conditions of the agreement already in place. **A Motion to have Ms. Kemper continue to provide the Secretary/Treasurer services herself under the same terms she had been providing them through the firm that employed her and for Ms. Kemper to prepare a written agreement reflecting that was made by Commissioner Rivers, seconded by Vice-Chairman Way, and carried by a 4-0 vote.**

D. Port Consultant

Commissioner Flowers began the discussion by suggesting that what was needed was a Director and not a consultant and that she

envisioned the person being an employee of the District and not a contractor. Commissioner Rivers indicated that the District should seek out a consultant such as had been utilized in the past. Chairman Brown and Vice-Chairman Way both questioned the "need" for a Director or consultant. After some discussion of the potential role of the consultant/Director, it was agreed that Commissioner Flowers would prepare a draft job description before the next meeting to bring before the Commission as a whole for consideration, comment, and/or revision.

13. PUBLIC COMMENT

Robert Hyttenhove spoke again in favor of allowing the public to attend meetings by Zoom or other on-line, live-stream means and Chairman Brown and Vice-Chairman Way discussed options for trying out You Tube at an upcoming meeting and Mr. Hyttenhove thanked the Commission for looking into it.

14. COMMENTS BY COMMISSIONERS

Commissioner Rivers, Vice-Chairman Way, and Chairman Brown had no commissioner comments. Commissioner Flowers noted that FDEP got \$160,000.00 for feasibility study funding for Summer Haven.

15. NEXT MEETING

April 19, 2022, was announced as the next regular meeting date. As such, the **next regular meeting will be at 3:00, p.m., on April 19, 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 4:20, p.m.

Secretary-Treasurer

Commission Chairman Brown