

Sebastian Inlet District
May 2019, Regular Commission Meeting
Wednesday, 4:30 PM, May 8, 2019
Sebastian Inlet State Park Fishing Museum
Vero Beach, Florida

AGENDA

- I. Call to Order – Chairman Lawton Seal
- II. Approval of Minutes – Regular Commission Mtg. – April 10, 2019
- III. Information and Discussion
 - a. Media and Information
 - b. Executive Director's Reports:
 - i. Update on Sand Trap Dredging and Beach Fill
 - ii. 2018-2019 Commission Meeting Schedule
 - iii. Discussion of Consent Agenda
 - c. Public Outreach Activities
- IV. Preliminary Budget Discussion – FY 2019-2020
- V. 2018 Sebastian Inlet Seagrass Monitoring Presentation – Don Deis, Atkins
- VI. Park Matters – Jennifer Roberts, SISP Manager
- VII. Legal Counsel Update – Jack Kirschenbaum, Gray Robinson
- VIII. Public Comment Period
- IX. Consent Agenda
 - a. Authorized Work for Commission Review: none at this time
 - b. Recommended for Approval:
 - i. Sebastian Inlet State Park Use Agreement No. U-0455-Sand Trap Dredging and Beach Placement Project
 - ii. Work Order No. 1819-011 – GPI, GPI Geospatial, Inc. 2019 Inlet Shoal Aerial Monitoring, Lump Sum \$9,800

iii. Work Order No. 1819-011 – GPI, GPI Geospatial, Inc. 2019 Coastal
Shoreline Monitoring, Lump Sum \$20,900

- X. Commissioner Items
 - Commissioner Mitchell
 - Commissioner Frazier
 - Commissioner Hendricks
 - Vice Chairman Rowland
 - Chairman Lawton Seal

XI. Unfinished Business

XII. New Business

XIII. Adjournment

Sebastian Inlet Tax District
Wednesday, May 8, 2019 4:30 p.m.
Regular Commission Meeting
Sebastian Inlet State Park Fishing Museum
Vero Beach, Florida

Minutes

Present at the meeting were Chairman Jenny Lawton Seal, Commissioners Lisa Frazier, Beth Mitchell, and Michael Rowland. Commissioner Chris Hendricks was absent/excused. Also in attendance were: Executive Director James Gray, Contracts & Accounting Manager Dave Kershaw, Public Information Associate Michelle Malyn, District legal counsel Jack Kirschenbaum, Sebastian Inlet State Park Manager Jennifer Roberts, Mel Scott (Atkins), Don Deis (Atkins), William Ferrell (North Beach Civic Association & homeowner in project area), Cathy Ferrell (North Beach Civic Association & homeowner in project area).

Under Agenda Item I

Call to Order – Chairman Lawton Seal called the meeting to order at 4:30 p.m.

Under Agenda Item II

Approval of the Minutes of the regular Commission meeting of April 10, 2019 – Commissioner Frazier made a motion to approve the minutes. Commissioner Mitchell seconded the motion. **Motion carried 4-0.**

Under Agenda Item III

Information and Discussion Agenda

- A. Media and Information – There was no discussion of the contents of the media packet.

- B. Executive Director's Reports
 1. Update on Sand Trap Dredging and Beach Fill – Mr. Gray shared that Ferreira crews continue to dredge the navigational channel connecting to the Intracoastal Waterway (ICW) and pump material to the Dredged Material Management Area (DMMA). Approximately 20,000 cubic yards of sand has been placed in the DMMA - 10,000 cubic yards from the Sand Trap and 10,000 from the channel dredging to date. Mr. Gray noted that the 10,000 cubic yards from the Sand Trap exceeded initial estimates of the volume of sand that remained there (5,000 yd³). Preliminary numbers based on most recent surveys suggest that an additional 30,000 cubic yards of materials could be dredged from the channel, for a cumulative total of 50,000 cubic yards in the DMMA at end of project. Mr. Gray noted the contract does not have a provision to address overages and is recommending that the Commission approve a change order to allow Ferreira to continue dredging and pumping into the DMMA rather than stopping all work when the DMMA reaches 30,000 cubic yards of material, per the original specifications in the contract. Mr. Gray indicated that the change order would be formally drafted and presented to the Commission at a future meeting once all volumes have been reconciled, further noting that this comes with additional associated cost. Estimated at \$12/cubic yard with an additional 20,000 cubic yards of volume, would be up to \$240,000. Commissioner Mitchell asked about the capacity of the DMMA. Mr. Gray noted that per prior projects, volumes in excess of 50,000 cubic yards had been stored. Commissioner Frazier verified that Mr. Gray was seeking the Commission's approval to proceed, and that the change order would be provided for the Commission's review at a future meeting. Mr. Gray confirmed. Commissioner Mitchell made a motion to direct Ferreira to continue dredge operations in the channel until such time as the DMMA contains 50,000 cubic yards. Commissioner Rowland seconded the motion. **Motion carried 4-0.**

2. 2018-2019 Commission Meeting Schedule – Mr. Gray noted a one-page handout with all meeting dates and locations, including the required budget hearings in September. Commissioner Frazier asked her colleagues to consider a special request - moving monthly SID Commission meetings to the first or third Wednesday. Her job requires her to attend the City of Sebastian City Council Meetings that are held the second and fourth Wednesday of each month. She further noted being fully aware of the SID meeting schedule when running for this office and the fact that she had already made special accommodations to minimize any conflict. Commissioner Frazier noted that despite best efforts, a conflict could arise in the future. Should the flexibility exist, she would appreciate the other Commissioners' consideration of this request to be revisited at the next meeting.
3. Discussion of Consent Agenda – Mr. Gray detailed consent agenda items.
 - a. Authorized work for Commission Review: None at this time.
 - b. Recommended for Approval:
 1. Sebastian Inlet State Park Use Agreement No. U-0455-Sand Trap Dredging and Beach Placement Project

Mr. Gray noted that the State had sent notice in December 2018 that SID needed to apply for a special use permit/agreement in order to complete the dredging and beach placement project. The process was started but upon further research, this had never been required before and seemed to be in conflict with current easements SID has in place to complete projects like this. Commissioner Mitchell noted that she didn't understand the need for a special use agreement given the MOU and the resources invested in the current easement consolidation and renewal process. Sebastian Inlet State Park Manager Jennifer Roberts offered that in her communications with State officials, it was her understanding the while easements covered the vast majority of the work areas, easements do not encompass the beach. That a special use agreement was needed to authorize contractor crews to work on the beach. Commissioner Mitchell asked where in FDEP this determination was made. Mrs. Roberts noted it was suggested after a review conducted by the FDEP Park Planning Department when the project started. This is the group that typically handles use agreements and easements. FDEP did not want to delay the project, but felt this gap needed to be addressed. Mr. Gray suggested that he and SID Legal Counsel Kirschenbaum were working to clarify the role played by the MOU, easements and use agreements by working with our consultants and State officials in Tallahassee. For example, rather than a special use agreement, a pipeline corridor easement has already been included in discussions with consultants currently working that project. The concern is that typical use agreements are 5 years, and SID dredging projects occur every 4-5 years. Easements may be a better way to accomplish the end goal. It was further noted that given the beach phase of the project had been completed, there is no urgency to execute this agreement and it would be wise to explore all of the alternatives. Mr. Gray presented two options to the Commission: 1-execute the agreement now, as is, or 2-table the execution of this agreement until staff, SID Legal Counsel and SID consultants currently working on easements have the opportunity to further visit with State officials. Commissioner Frazier asked for confirmation that the State is willing to wait. Mr. Kirschenbaum had suggested a timeframe of approximately 60 days for staff to work with consultants and representatives in Tallahassee to clarify, noting a meeting with all later this month.

2. Work Order No. 1819-011 – GPI, GPI Geospatial, Inc. – 2019 Inlet Shoal Aerial Monitoring, Lump Sum \$9,800

This pertains to the aerial photography in part required by permit for biological monitoring of seagrass beds West of the inlet on the flood shoal by Atkins, recommended for approval by staff.

3. Work Order No. 1819-012 – GPI, GPI Geospatial, Inc. – 2019 Coastal Shoreline Monitoring, Lump Sum \$20,900

Aerial photography of our inlet system and beaches. This is also part permit required with regard to the recent beach placement project, as well as, shoreline migration analysis, inlet morphology, etc. Recommended for approval by staff.

Commissioner Frazier asked with whom all of this data is shared. Chair Lawton Seal confirmed this data is shared with FIT, Atkins, FDEP, and other partners. It is also shared with the general public if requested.

- C. Public Outreach Activities – Mrs. Malyn indicated a one-sheet bulleted list of public outreach activities was included in the Commission packets. May 23rd is the official launch of the SID centennial campaign, 100 years to the day from the creation of SID. We have been pitching media for placement and to date have confirmed historical feature pieces that will run on Sunday, May 19 in the Orlando Sentinel (Florida Flashbacks Column) and the Indian River Press Journal as part of the ongoing Sunday centennial spreads). George White, reporter for the Melbourne Beachsider, is scheduled to interview Charlie Sembler for a piece that will run on May 23 in the Beachsider and in 32963. Florida Today is also a target. We have finished our historical banner displays, 40 feet of historical timeline with copy and photos. That will become a mobile museum to be stationed at different public locations on a monthly basis for the next 12 months. Interested locations include Sebastian City Hall, the Sebastian Chamber, Vero Heritage Center and Indian River County Administration Building. Mrs. Malyn noted that Mr. Kershaw had a great idea to reach out to local libraries for displays in heavier trafficked public libraries. Mrs. Malyn asked Commissioner for any suggestions on display locations and groups that may be interested in presentations on the history of Sebastian Inlet. SID will also launch our 100-year logo and our historical video on our website, on Facebook and on Instagram that day. A quick reminder on the other components of the campaign; a monthly media story to pitch related to the District's mission and work, weekly posts for 52 weeks on social media and on the SID website (Tuesday = FUN FACTS and Thursday = HISTORICAL), community outreach to include connections with and presentations to affinity groups (ie: boating/fishing clubs, rotaries, etc), a family-friendly community centennial event on Saturday, September 14, an educational lecture series that will begin in the Fall, mid-campaign to generate momentum among seasonal population returning to Brevard and Indian River Counties and a coffee table book that will come out at the start of the new FY in October.

Under Agenda Item IV

Preliminary Budget Discussion-FY 2019-2020

Mr. Gray indicated that this was a preliminary discussion to budgeting for the FY 2019-2020, with a detailed budget summary spreadsheet with prior year comparisons as prepared by Contacts & Accounting Manager Dave Kershaw. Mr. Gray noted that it is based on the current millage rate, continuing the rollback rate. Projected revenue of \$2.1M which is consistent with last year, and an expected revenue increase of approximately \$100,000 from our CDs. Mr. Gray addressed proposed budget increases; an additional \$100,000 in Engineering and Permitting for easements and other scientific studies we hope to embark on with our consultants and FIT. Line item 25 – Construction Programs, was increased by \$200,000 primarily

with the goal of completing the South Shoreline Stabilization in FY 2019-2020. Mr. Gray has had several meetings with consultants and Park staff, and the project entails more than originally suggested, hence the increased cost. An increase of \$100,000 in our Natural Resources Programs line item, primarily to update our economic analysis from 2013.

Under Agenda Item V

2018 Sebastian Inlet Seagrass Monitoring Presentation – Don Deis, Atkins

Mr. Deis of Atkins has been the lead biologist monitoring the seagrass beds on the flood shoal West of the inlet for 12 years. He offered to be a resource in answering any questions from Commissioners at any time, and invited to take Commissioners out in the field during the survey if interested. The flood tidal shoal is quite unique with six (6) species of seagrass on and around it. That includes three (3) bed forming species; Shoal Grass (*Halodule wrightii*) (dominant right now), Manatee grass (*Syringodium filiforme*) and Turtle Grass (*Thalassia testudinum*), and three (3) species of Halophila - Johnson's seagrass (*Halophila johnsonii*) (listed as threatened), Star Grass (*Halophila engelmannii*) and Paddle Grass (*Halophila decipiens*). These three occur in a little deeper water on the edges of the shoals. Mr. Deis indicated sharing our monitoring data with the St. John's Water Management District who monitors the seagrass beds in the Northern Indian River Lagoon to aid in mapping beds lagoon-wide, and ran through data points and comparisons for the Commission. While there have been losses lagoon-wide in recent years, harder hit areas are in the Northern lagoon as compared to what we have documented in the inlet area where we have seen a resurgence of seagrasses attributable to the flushing and movement of water through the inlet system. Responding to question from Commissioner Rowland, Mr. Deis indicated the two years of freezing temperatures and a combination of other factors led to the massive die off lagoon-wide in 2011-2012. The sponge for nutrients in the lagoon was the drift algae. The freezes killed off the algae and made the phytoplankton the absorber of nutrients, which is still the case today. The phytoplankton bloomed, causing lack of transparency in the water column and without light, the seagrasses died off. Mr. Deis believes it will take a few years of drought conditions to right the situation. For the benefit of newer Commissioners, Mr. Deis outlined what was done relative to seagrass plantings and protective signage for the seagrass shoals, when completing the channel extension in 2007. Mr. Deis indicated approximately one (1) acre of cumulative seagrass gains when comparing the 2017 survey to the 2018 survey. We still monitor for scarring, but prop scarring has been dramatically reduced since the channel extension/markings in 2007-2008. Mr. Deis showed maps of the six (6) zones of the flood shoal comparing prop scarring from prior years to 2018. Discussion ensued and the Commissioner thanked Mr. Deis for his comprehensive report.

Under Agenda Item VI

Park Matters - Park Manager Jennifer Roberts shared that all was going well with the dredging project from the Park's perspective. Work with FWC is ongoing to get patrols started, and SID is working through payment method and processing with FWC. Mrs. Roberts reported no recent issues on the North Jetty and with boaters. Mrs. Roberts reported being pleased that beach work has ceased because Park Rangers have identified sea turtle nests; 3 Leatherback and 4 Loggerhead. Mrs. Roberts met with Mr. Gray last week to restart the conversation about the South Shoreline Stabilization project. As a point of information, Mrs. Roberts shared meeting with FDOT yesterday. FDOT has a project coming up and scheduled to start on June 8 and run for one (1) year. This is Hurricane Michael shoreline recovery, starting North of the R-8 access and continuing South on A1A. She noted that FDOT will be staging at the State Park and that the project will repair the very narrow strip South of the inlet, bolstering the east shoreline on the lagoon side, fixing sidewalks, and replacing/adding rock. There will be some expected road delays during construction. A public meeting will be held at the Fishing Museum on the last Wednesday in May. The last item referenced by Mrs. Roberts highlighted the work of The Friends of Sebastian Inlet State Park, a non-profit, volunteer-based organization with a mission of helping the park and its two museums. They fundraise for the park, provide volunteers for events and more.

Under Agenda Item VII

Legal Counsel Update – There is an ethics form that needs to be completed by all Commissioners and submitted to the State. Attorney Kirschenbaum will make sure that all of the Commissioners get a copy for execution and submission.

Under Agenda Item VIII

Public Comment Period – Chairman Lawton Seal noted that Mr. William Ferrell was signed up for public comment. Mr. Ferrell is a homeowner on the beach South of Ambersand within the SID beach project area, and represents the North Beach Civic Association, an association of beachfront homeowners in Indian River County. Mr. Ferrell wanted to thank the Sebastian Inlet District and Commissioners on behalf of the homeowners within the project area for a job well done. It was a particularly challenging with the two Nor'easters that came through, but Mr. Ferrell commended Mr. Gray and SID staff for their management of the sand bypass and beach placement project. Commissioner Mitchell asked how many homeowners belonged to the North Beach Civic Association. Mr. Ferrell indicated 1,200 property owners belonged to the association stretching from just South of the inlet to Beachland Blvd. in Vero Beach.

Under Agenda Item IX

Consent Agenda – Commissioner Mitchell moved to approve the consent agenda with Alternative #2 for Item # 1 as part of the Consent Agenda (tabling of the execution of the use agreement with the State Park). Commissioner Rowland seconded. **Motion carried 4-0.**

Under Agenda Item X

Commissioner Items – Commissioner Mitchell noted looking forward to the start of the centennial celebration and awareness campaign. Commissioner Rowland noted that the signage used by the dredge operations crew was insufficient and a navigation hazard. He contacted Mr. Gray who immediately reached out to Ferreira to rectify the situation prior to this weekend's shootout where hundreds of boats will be headed out the channel for a fishing tournament, through the inlet to the Atlantic. No other Commissioner Matters noted.

Under Agenda Item XI

Unfinished Business – There was no unfinished business.

Under Agenda Item XII

New Business – There was no new business.

Adjournment – Chairman Lawton Seal adjourned the meeting at 5:40 p.m.


Secretary/Treasurer

Date 6/12/2019