

Sebastian Inlet Tax District
Wednesday, June 9, 2021 at 4:00 p.m.
Regular Commission Meeting
Grant Community Center, 4580 1st Street
Grant, Florida

Minutes

Present at the meeting were Chairman Jenny Lawton Seal, Vice Chairman Michael Rowland, Commissioner Beth Mitchell and Commissioner Chris Hendricks. (Commissioner Lisa Frazier—Absent- excused). Also, in attendance were Executive Director James Gray, Sr. Contracts & Accounting Manager Dave Kershaw, SID Legal Counsel Jack Kirschenbaum, Don Deis (Atkins), Mel Scott (Atkins) and Jennifer Roberts (SISP).

Under Agenda Item I

Call to Order – Chairman Lawton Seal called the meeting to order at 4:00 p.m.

Under Agenda Item II

Approval of the Minutes of the regular Commission meeting of April 14, 2021. Commissioner Mitchell made a motion to approve the minutes. Commissioner Rowland seconded the motion. The **motion carried 4-0**.

Under Agenda Item III

Information and Discussion Agenda

A. Media and Information

Mr. Gray noted that DEP plans to fund more than \$70 million in new beach projects. The District's request for \$700,000 (50% cost share) is a part of this funding for the recently completed DMMA beach bypassing project and post-construction monitoring. He also mentioned that the 2020 seagrass monitoring report received selected media attention (multiple print articles, News13 and Bob Soos-WTTB). Commissioners asked several questions related to the seagrass report. Don Deis reported on the die off, its impact on manatees and the location of the die-off hotspots. He mentioned that this year's monitoring effort is non-permit related.

B. Executive Director's Reports:

1. Commission Meeting Schedule

Mr. Gray referred to the updated Commission Meeting Schedule bringing particular attention to the July 14, 2021 meeting scheduled to take place at the North Indian River County Library. Mr. Gray recommended future meetings in Brevard County be held at the District's offices in Indialantic.

2. DMMA Berm Maintenance

Mr. Gray noted that the DMMA's side slope berms have settled causing exposure of the liner in a couple of areas. The liner helps to stabilize the DMMA. He is working with Environmental Science Associates (ESA) to address repairs. The water-proof liner is guaranteed for 15 years and the District is half-way through that period. Any expenses related to repair would be charged to DMMA maintenance.

3. Discussion of FWC Recreational Fisheries Monitoring Project

Mr. Gray explained that the FWC Research Institute fisheries monitoring project is a state-wide effort by the agency to improve their fisheries data collection methods. FWC wants a site in the Park to support this 14-month project studying off-shore fishing activity. FWC has requested use of space

on the District's north jetty meteorological station infrastructure to mount cameras and solar arrays. Mr. Gray anticipates bringing a vetted Memorandum of Agreement to the Commission in July for discussion and approval.

4. Discussion of FDEP DRAFT 2021 Status of the Inlets Report

Commissioner Lawton Seal recapped the 2005 inverse condemnation lawsuit against the District and mentioned that a few of the litigants were scheduled to meet with Mr. Gray on Thursday, June 10 at the District's offices. They requested the meeting because of their conclusion that the District was not complying with the 2005 settlement agreement. Commissioner Lawton Seal recommended that Commissioner Mitchell attend this meeting along with Mr. Gray. Mr. Gray added that he would listen intently to the former litigants and report back to the Commissioners. Mr. Gray then discussed the release of the draft, annual FDEP Status of the Inlets Report which concludes the District is meeting only 44% of its average 20-year bypassing objective. Mr. Gray stated that his own analysis supports a higher percentage. After presenting his analysis to the state of volume inputs, Mr. Gray said FDEP is prepared to revise the bypassing percentage to around 70%. He mentioned the 70% figure is based on the FDEP annual 90,000 cy requirement. Mr. Gray said the bypassing percentage would be over 100% if the requirement were the 70,000 annual cubic yards that the District has agreed to and all sand fill projects in Sectors 1 and 2 (District and Indian River County) were accounted for. He is working on correcting discrepancies with FDEP. Commissioner Mitchell asked Mr. Gray about the review process related to modifying the sediment budget with FDEP. He explained that the draft report is a public record and that the District would have to present its own study to the state and then convene a Technical Advisory Committee (TAC) to determine if any adjustments need to be made to the sediment analysis budget and subsequently the inlet management plan. Commissioner Hendricks stated that because the report is a "draft", it is not a binding document. Mr. Kirschenbaum stated his support of the meeting given that it is easier to address the issue if it is known what the complaints are and that no motion was necessary to agree that Commissioner Mitchell should attend.

5. Public Information Associate Position Update

Mr. Gray reported that 35 applicants responded to the advertised Public Information Associate opening. By the end of June, he hopes to complete his analysis of the responses identifying the strongest candidates. Commissioner Rowland asked about why Ms. Perez left the District and Mr. Gray answered that she reported finding a better job.

6. Discussion of Consent Agenda

a. Authorized work for Commission review

1. Summerlin's Marine Construction, LLC
Work Order No. 2021-017-SMC Channel Marker Repairs

Using his authorized purchasing authority Mr. Gray issued a work order to Summerlin's Marine Construction for channel marker repair. The cost is not expected to exceed \$4,200.

b. Recommended for approval: none

Under Agenda Item IV

Draft Detailed Budget Discussion — Dave Kershaw, Sr. Contracts/Accounting Manager

Mr. Kershaw reviewed the important dates in the 2021-22 Budget and TRIM calendar and then discussed the 2021 certification of taxable value estimates for operating purposes received from the Brevard and Indian River County Tax Collectors. He then discussed the rolled-back rate (RBR) spreadsheet calculator on page 16 of their agenda package. Using the June 2021 estimates of gross taxable value provided by the two counties, the proposed aggregate millage rate (RBR) would be 0.0766. The current rate is 0.0796. Mr. Kershaw followed with a review of

the draft FY 21-22 Budget. He noted the following: by statute, the total available revenues from taxation and other sources must equal the total appropriations for expenditures; the revenue budget for property taxes matches the total RBR estimate for both counties; the expected interest income is down due to the low interest rate environment; most of line item expense entries were identical to the current year; and the capital outlay entry was for a laptop computer. Mr. Kershaw concluded by reporting that PNC Bank has temporarily suspended issuing certificates of deposit. For the time being, the funds for all maturing CDs will be deposited into the District's interest-bearing Muni account.

Under Agenda Item V

Park Matters – Jennifer Roberts, SISP Park Manager

Mrs. Roberts reported that the park is close to being back to normal. The park has resumed turtle walks and will soon begin the Night Sounds concerts and other special park events. Ms. Roberts concluded her report by sharing the park's latest turtle nesting counts, the hiring of a new assistant park manager and the delivery of the fully funded, painted turtle statue in 6-8 weeks.

Under Agenda Item VI

Legal Counsel Update – Jack Kirschenbaum, Gray Robinson & District Legal Counsel

Mr. Kirschenbaum reported that he received the performance evaluations of Mr. Gray from all the Commissioners and provided the tabulated results of their reviews. He noted the average tabulated score was 3.737 on a scale where 4.0 exceeds job requirements and expectations and 3.0 meets job requirements and expectations. There were five separate Commissioner recommended salary adjustments: 1) 2 percent; 2) 2.5 percent; 3) 3 percent; 4) 5 percent; and 5) 6 percent plus a \$30,000 base salary increase. Commissioner Mitchell made a motion for a 5 percent increase to Mr. Gray's salary; Commissioner Hendricks seconded. The **motion carried 3-1 with Commissioner Rowland voting against**. Mr. Kirschenbaum noted that pursuant to the employment agreement with Mr. Gray salary increases take effect in the second pay period of May. Mr. Gray thanked the Commissioners for their continuing support.

Under Agenda Item VII

Public Comment Period

Chairman Lawton Seal opened the floor to public comment. There was no public comment.

Under Agenda Item VIII

Consent Agenda—Motion to approve the Consent Agenda made by Commissioner Mitchell. Seconded by Commissioner Rowland. **Motion carried 4-0.**

Under Agenda Item IX

Commissioner Items

Commissioner Mitchell – Nothing at this time.

Commissioner Frazier – Absent.

Commissioner Hendricks – Nothing at this time.

Commissioner Rowland – Commissioner Rowland congratulated Mr. Gray on his performance then asked if Brevard County had ever sued the District.

Chairman Lawton Seal – Nothing at this time.

Under Agenda Item X

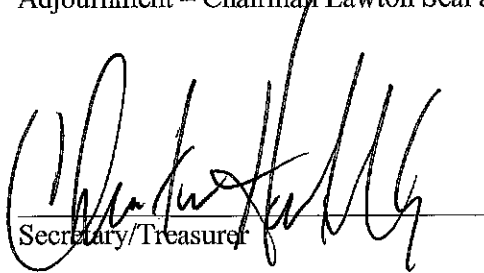
Unfinished Business – Nothing at this time.

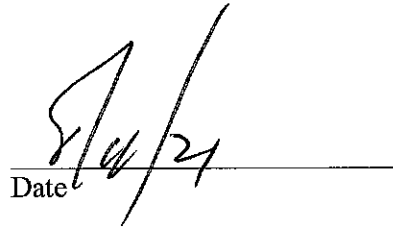
Under Agenda Item XI

New Business– Nothing at this time.

Under Agenda Item XII

Adjournment – Chairman Lawton Seal adjourned the meeting at 5:08 p.m.


Secretary/Treasurer


Date