

# Sebastian Inlet Tax District

Wednesday, June 12, 2019 4:00 p.m.

Regular Commission Meeting

Sebastian Inlet District Office

Indianapolis, Florida

## Minutes

Present at the meeting were Chairman Jenny Lawton Seal, Commissioners Lisa Frazier, Chris Hendricks, Beth Mitchell, and Michael Rowland. 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, and Pete Seidle (ATM).

### Under Agenda Item I

Call to Order – Chairman Lawton Seal called the meeting to order at 4:05 p.m.

### Under Agenda Item II

Approval of the Minutes of the regular Commission meeting of May 8, 2019 – Commissioner Mitchell made a motion to approve the minutes. Commissioner Rowland seconded the motion. **Motion carried 5-0.**

### 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 reported that Ferreira Construction completed dredging of the navigational channel connecting to the Intracoastal Waterway (ICW) as of Saturday, June 8. Material from the channel has been placed in the Dredged Material Management Area (DMMA). Currently working on final confirmation of volumes through an as-built survey that has been scheduled, but the DMMA is housing approximately 40,000 cubic yards of sand, 25% more than originally anticipated. That's because we deepened some sections of the channel prone to shoaling and we also had some sand trap material that was pumped to the DMMA instead of the beach, as previously reported. Commissioner Rowland asked if crews dredged the entire length of the channel to the ICW. Mr. Gray reported that crews did work the entire 3,000-foot length of the channel, making it 150 feet wide and between -9 and -12 feet in depth. Some areas closer to the ICW were already at depth and so crews focused only on the sections where it had shoaled in. Full demobilization has begun and we anticipate project completion on June 14. Commissioner Mitchell asked if Ferreira crews had leveled and shaped the sand being stored in the DMMA, and what capacity the DMMA was designed to hold. Mr. Gray confirmed they are actively working on that now, and that while originally designed for 28,000 cubic yards of material, prior projects had placed upwards of 50,000 cubic yards in the DMMA for storage. We anticipate final payment to the contractor in July, and will bring that forward for the Commission's review and approval. With regard to the post-construction environmental monitoring efforts, we have sea turtle monitoring in place and ongoing through October. A lighting survey was just completed, making sure the project elevation/beach profile hasn't increased lighting on the beach from properties in the project area that would be detrimental to sea turtle nesting. That information has been relayed to Indian River County in terms of compliance, and FWC. Several lighting issues were identified, not necessarily as a result of the project, but Indian River County is following up to rectify those issues. Mr. Gray indicated that aerial monitoring/photography may take place in the in the next few days as a precursor to the sea grass monitoring and ground-truthing work to be conducted by Atkins on the flood shoal. Post-construction nearshore and offshore hardbottom monitoring is also ongoing with marine biologists in the field from CSA Ocean Sciences. They have had a successful couple of days with great visibility as reported by Mr. Seidle (ATM). The team needs 6 more days with good visibility to complete this monitoring.

With regard to the website, substantive and strategic changes were made prior to our May 23 launch, to include but not limited to: adding a News & Events page, adding and changing content on the top of the Home Page/photo slider to include links from each photo in the slider to different pages on our site, updating the historical narrative and embedding the video on the History Page, adding our 100 yr logo, adding a Facebook widget to the Home Page so the Fun Fact and Historical posts display prominently in our footer, updating and revising our partner list, adding James Gray's headshot and link to landing page with bio like Commissioners, including most current State of the Inlet reports for download. Before getting to our second round of revisions to the site, less substantive in nature, our WordPress theme/template was affected by a security update, losing significant back-end functionality in terms of our ability to update portions our site. Mrs. Malyn advised that CNI was quick to respond and was forced to rebuild the Home Page because the developer of the WordPress theme the District selected in 2016-17 was no longer updating it to be current with new WordPress updates. This does happen. A second issue in play is ADA compliance. The District was advised to add a prominent disclaimer to the Home Page prior to this legislative session and to continue monitoring the challenges being brought forth to the ADA compliance standards defined by the State. Lewis, Longman & Walker as engaged by the Florida Association of Special Districts (FASD) had been working towards including revisions to ADA compliance standards in a bill this legislative session. Our current WordPress theme is not fully ADA compliant and CNI cannot guarantee any WordPress theme will be. While monitoring the issue, staff has participated in several webinars organized by FASD to showcase the capabilities of different vendors that provide proprietary website software designed exclusively for special districts to meet ADA compliance standards. Mr. Gray is currently evaluating our options in transitioning to another WordPress theme and continuing to monitor the issue in anticipation of further challenges to the ADA compliance standards or migrating to a vendor that provides ADA compliant web templates. Mr. Kershaw recently attended a conference where he was able to discuss this issue with other city and county government officials. He indicated this was still a big challenge for many special districts in Florida and some are stripping their sites of almost all content while adopting a wait and see attitude. Mr. Kirschenbaum indicated there is a dispute in the District Courts of Appeal and that will need to play out to conclusion. In the meantime, the hope is that there will be legislation to clarify it.

The District was contacted by BlueTube, a locally based non-profit organization, re: the installation of BlueTubes at Sebastian Inlet State Park (SISP). Staff passed along the information to SISP Park Manager Jennifer Roberts. BlueTubes get mounted on boardwalk structures at beach access points along the State's coast and are filled with plastic bags for the public to take and use in picking up trash on the beach. Mrs. Roberts is interested in installing BlueTubes at the Park. Mrs. Roberts and Mrs. Malyn thought it could be a great partnership opportunity were the District to sponsor (4) BlueTubes for \$520. State Park staff would install and maintain them. Commissioner Frazier noted the City of Sebastian had been contacted multiple times. Mrs. Malyn confirmed that were we to sponsor the BlueTubes, the Sebastian Inlet District logo would be added to the units. Commissioner Hendricks noted Indian River Shores had been approached a few years ago, but decided the maintenance personnel could construct something similar for a much lower cost. Mrs. Roberts shared that from her perspective, BlueTubes present well, bright blue and instantly recognizable. She supports anything that supports clean beaches, and feels that BlueTubes could help encourage people to pick up trash to keep both the beaches and the Park clean. Initially she thought about placing them at the Day Use Area, and at three locations on the boardwalks on the North side that lead to the beach. Commissioner Frazier suggested that it be brought back to the next meeting and noted liking how SISP and the District are working together collaboratively to keep the beaches and Park clean. Consensus to table the discussion until the next meeting to allow staff time to present additional information on BlueTubes and similar programs.

#### Under Agenda Item IV

##### Preliminary Detailed Budget Discussion-FY 2019-2020

Mr. Gray indicated this was a continuation of the budget discussions from the last meeting, and reviewed in detail the accomplishments this FY, goals and objectives for next FY and the Five-Year Long Range Budget Summary. Commissioners Frazier and Hendricks asked Mr. Gray if he was looking for input and provided feedback on the accomplishments and goals and objectives. Commissioner Hendricks noted additional accomplishments in the current FY including the additional \$100,000 in interest income earned and development of a laddered CD schedule. He further noted that it took initiative to reach out to FDEP to use the previously discussed 13-14 Hurricane Sandy funds

for 2018 baseline monitoring that could mean an unanticipated grant of \$75,000, and felt those items should be included. Commissioner Frazier shared that she is open to exploring any and all partnership opportunities within the boundaries of our charter that help show the ROI of the District to the community. She referenced the Economic Study, verified it was published in 2013 and suggested it may be wise to consider updating it in the coming FY. Mr. Gray indicated he has included \$125,000 in next FY budget for an updated economic study.

For discussion purposes, Mr. Gray detailed the Five-Year Long Range Budget (see attached). Total five-year anticipated revenue at \$22,650,000, and total five-year estimated expense at \$19,025,00. He noted the anticipated projects within that timeframe; Sand Trap and Channel Dredging in 2025, Two (2) Supplemental Truck Haul projects with transportation from DMMA and purchasing Upland sand if so needed. South Shoreline Repair in 2020 and North Shoreline Stabilization in 2024. Economic Analysis update in 2020. Mr. Gray suggested this shows we can maintain our current level of tax revenue of approximately \$2.1M, anticipating continued cost share, and fulfill our mission. Commissioner Mitchell noted seeing a 10-year schedule in years past and asked why we had chosen to do a 5-year analysis this time. Mr. Gray didn't want the numbers to get out of touch, we can provide a 10-year analysis, but the numbers are a little closer on a five-year versus a ten-year plan in his opinion. Commissioner Mitchell noted that the District had a long history of keeping the millage rate low and when we were sued, we had to generate a lot of revenue to pay those expenses, ultimately raising the millage rate. After the settlement, we decided to reduce the millage rate gradually. District projects have a much longer-term window than most governmental entities, and this analysis helps answer the question of why we have the reserves we do. Looking at this document, were State funding to go away, we would not be able to accomplish all of these projects without raising the millage rate. Commissioner Mitchell also recommended changing "Budget Surplus for Contingency" to "Budget Surplus for Emergency Reserves" because years ago, the Commission decided to put \$3M aside were we to have a catastrophic event that wiped out the North Jetty. Commissioner Hendricks also suggested "Carry Forward" be re-designated as "Capital Reserve" or another term provided by our CPAs that denotes it as obligated. Mr. Kirschenbaum suggested that were an analysis excluding grants and government reimbursement, and known, anticipated, necessary expenses, would demonstrate that just the taxation doesn't produce the revenue needed to do the missions you must accomplish by State law.

#### Under Agenda Item V

Park Matters - Park Manager Jennifer Roberts had several items. FDOT has begun the A1A roadwork project South of the inlet and will be staging equipment and various items at the Park and at multiple sites along the project area. They are requesting use of the R-8 access to stage a work trailer and several vehicles. It will be for the duration of the project which is 12 months. She met with them, walked the site, and as long as it doesn't restrict the Park or the Sebastian Inlet District that they can use R-8. An formal application for a Use Agreement has been submitted. One condition added by Mrs. Roberts is that the District be granted access at any point, as needed, and can notice FDOT to vacate R-8 within a specified period of time. Memorial Day was extremely busy at the park with the 3-day total of 13,000 visitor versus 6,200 visitors for the same period last year. Mrs. Roberts reported that both sides of the Park were closed due to capacity during the weekend, 600 boats were at the sand bar, and there were zero incidents. Looking forward to the July 4<sup>th</sup> holiday which his expected to be just as busy. FWC Law Enforcement is in the park almost daily and we anticipate that after-hours patrols will begin on July 1. Turtle walks have started, but on just the beaches North of Sebastian Inlet, we have had 71 Loggerhead, 16 Greens and 3 Leatherbacks.

#### Under Agenda Item VI

Legal Counsel Update – Nothing at this time.

#### Under Agenda Item VII

Public Comment Period – Nothing at this time.

#### Under Agenda Item VIII

Consent Agenda – Commissioner Mitchell moved to approve the consent agenda. Commissioner Rowland seconded. **Motion carried 5-0.**

#### Under Agenda Item IX

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Under Agenda Item VI

Legal Counsel Update – Nothing at this time.

Under Agenda Item VII

Public Comment Period – Nothing at this time.

Under Agenda Item VIII

Consent Agenda – Commissioner Mitchell moved to approve the consent agenda. Commissioner Rowland seconded.

**Motion carried 5-0.**

Under Agenda Item IX

Commissioner Items – Commissioner Mitchell indicated wanting to have a larger conversation about how the District should use the sand stored in the DMMA, moving forward, and asked if there were tickets for the Sebastian Lionfish available as associated with our sponsorship. Mr. Gray indicated having a ticket for Commissioner Mitchell to attend.

Commissioner Rowland noted diving last Sunday approximately 12 miles offshore at -60 and saw no Lionfish, perhaps a good sign. Commissioner Hendricks noted that there were several good documentary films at the Vero Beach Film Festival related to ocean plastics, blue-green algae making a link to ALS and Alzheimer's disease. He recommended other Commissioners take the opportunity to view the video he has a copy of and will bring to an upcoming meeting.

No other Commissioner Matters noted.

Under Agenda Item X

Unfinished Business


- A. Request for Change of Commission Meeting Schedule – Commissioner Frazier shared her formal request with the Commission because of the conflict with the City of Sebastian City Council meetings on the second Wednesday. This is an effort to meet all of her obligations, should other Commissioners be flexible in terms of meeting day. Chair Lawton Seal indicated that this change would have a ripple effect in terms of schedules, extending beyond just the Commissioners, and it would prove difficult in her view. Commissioner Hendricks indicated he was retired and had no preference. Commissioner Rowland indicated flexibility so long as meetings remain on Wednesdays. Commissioner Mitchell noted her concern about setting a precedent and maintaining continuity. Commissioner Frazier indicated that if it was not unanimous, she would withdraw the request. Consensus that the meeting date will remain as is.

Under Agenda Item XI

New Business – Mr. Kershaw reminded Commissioners that Form 1: Statement of Financial Interest is due to be filed with the Supervisor of Elections by July 1.

Under Agenda Item XII

Adjournment – Chairman Lawton Seal adjourned the meeting at 5:43 p.m.

  
Secretary/Treasurer

Date

