

Sebastian Inlet Tax District
Wednesday, August 11, 2021 at 4:00 p.m.
Regular Commission Meeting
114 Sixth Avenue
Indialantic, Florida 32903

Minutes

Present at the meeting were Chairman Jenny Lawton Seal, Vice Chairman Michael Rowland, Secretary/Treasurer Chris Hendricks, Commissioner Beth Mitchell and Commissioner Lisa Frazier. Also in attendance were Executive Director James Gray, Sr., Contracts & Accounting Manager Dave Kershaw, Lesley-Ann Marks (GrayRobinson), William Ferrell (District Resident), Kathy Ferrell (District Resident), Tim Carlile (Land & Sea Surveying), Suzanne Carlile (Land & Sea Surveying), Kyle Neumuller (Land & Sea Surveying), Gary Zarillo (FIT), Bryan Flynn (ESA), Jennifer Roberts (SISP) and Ed Garland (District Resident/New Hire).

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 July 14, 2021. Commissioner Rowland made a motion to approve the minutes. Commissioner Frazier seconded the motion. The **motion carried 5-0**.

Under Agenda Item III

Presentations

- a. Tim Carlile, Land & Sea Surveying (LSS)
Mr. Gray introduced Tim Carlile who delivered a presentation on the services LSS provides the District, e.g., single/multi-beam surveys, side scans, sub-bottom profiling, 3-D scanning and land surveying. The LSS work involves scanning a 12-mile-long corridor along the coastline together with interior portions of the Inlet system every six months and delivering the survey data to the District and Gray Zarillo (Florida Institute of Technology) in order to produce the State of the Inlet report. His slide presentation included hydrographic and easement survey images from his recent District work. Mr. Carlile included an overview of the LSS team and the survey equipment used in their work.

- b. Gary Zarillo, Florida Institute of Technology (FIT)
Before Dr. Zarillo's presentation, Mr. Gray took a moment to briefly introduce both Lesley-Ann Marks from GrayRobinson who was filling in for Mr. Kirschenbaum, and the District's new hire, Ed Garland, whose start date with the District is Monday, August 16. Dr. Zarillo then presented a slide set titled "Sebastian Inlet Sand Budget 2007-2020". The slides covered topographic changes, sand volume changes, 20 years of sand budgets and the following set of conclusions:
 1. Longer-term topographic changes indicate sand volume losses on the upper shoreface and beach along with corresponding sand volume gains on the lower shoreface
 2. Patterns of sand volume losses and gains are similar north and south of the Inlet
 3. Over the period 2000 to 2021 the average annual volume gain within the sand inlet budget cell is less than 50,000 yd³ per year
 4. Larger annual and inter-annual sea level changes in the Florida coastal ocean, along with storm surge are likely to drive continued coastal transgression (retreat)

Under Agenda Item IV

Information and Discussion Agenda
Executive Director's Reports:

1. Update on Sebastian Inlet State Park Easements

Mr. Gray reported that the Bureau of State Lands has confirmed that the original north and south shoreline easements, the north and south jetty easements and some other easements in the state park will stay perpetual and that the Environmental Science Associates projects booked for those areas can now continue with permitting. The extension channel is the only area left under review by DEP to affirm that it is a submerged easement and not just a permit.

2. Review of District 2020/2021 Accomplishments and 2021/2022 Goals and Objectives

Mr. Gray highlighted the major accomplishments of FY 20-21 including the receipt of more than 90% of the Indian River county property owner easements requested, completing the 2020/2021 DMMA Truck Haul and Beach Placement project, receiving permits for the install of an additional Acoustic Doppler Current Profiler, the design and permitting of the north and south inlet shoreline stabilization project, coordination with the Florida DOT on the bridge project, receiving a \$165,396 reimbursement from DEP under grant 20IR1, the award of DEP grant 22IR2 (\$697,259) and submitting the application to DEP for cost share on the 2018/2019 maintenance dredging and beach placement project/Inlet management Plan update. He reviewed the objectives for the new fiscal year in the areas of Inlet Management Plan implementation, inlet maintenance, grants and public outreach.

3. Discussion of Consent Agenda

Mr. Gray reviewed the five Consent Agenda items for the Commission's approval. (Details are found under Item IX.)

Under Agenda Item V

Tentative Budget Discussion—FY2021-2022

Mr. Kershaw reviewed the draft FY21-22 Tentative Budget noting the next budget iteration in September will include Florida DEP contract/grant funding (\$697,250) under Revenue and Operating Funds. He noted that the only other changes to the draft budget from the last Commission meeting were in Expenses and Capital Outlay and included \$50,000 in account 5140 314 (Attorney/Special) and \$150,000 added to account 5371 316 (Sand Budget Studies).

Under Agenda Item VI

Park Matters – Jennifer Roberts, SISP Park Manager

Mrs. Roberts mentioned that the park is about to start the tide pool restroom construction. The park has ended the turtle walks for the season (June and July) and these evening events attracted 408 visitors. The latest nesting count in the park totals 784 loggerhead, 190 green and 8 leatherback turtle nests. She added that the turtle statue is ready to be shipped to the artist who will paint the sculpture; she is targeting the fourth quarter of this year for the unveiling.

Under Agenda Item VII

Legal Counsel Update – Lesley-Ann Marks for Jack Kirschenbaum, Gray Robinson

Ms. Marks reported that, per her briefing with Mr. Kirschenbaum, there was nothing new with which to update the Commission.

Under Agenda Item VIII

Public Comment Period

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

Under Agenda Item IX

Consent Agenda

- a. Authorized Work for Commission Review—None at this time.

b. Recommended for Approval:

1. Resolution Requesting Funding from State of Florida Beach Management Funding Assistance Program – FY 2022/23 Resolution No. 08.11.21.01
Mr. Gray presented the annual, local government resolution required by FDEP for funding requests to their Beach Management Funding Assistance program. Mr. Gray recommended the Commission approve Resolution 08.11.21.01 authorizing staff to submit the FY2022/23 request seeking a 50% cost-share grant agreement for post-construction monitoring of past projects (dune repair and dredging project) and the Inlet Management Plan. The resolution did not specify a specific dollar amount. The budget accounts to be used: Sand Trap Dredging-Permit Related Costs/Monitoring (5372-470) and Sand Transfer System/Advanced Studies (5371-316).
2. FDEP Grant Agreement No. 22IR2 Sebastian Inlet IMP Implementation
FDEP has issued Agreement No. 22IR2 to commit state funds for the partial reimbursement of the 2020/2021 DMMA Truck Haul and Beach Placement Project and associated post-construction monitoring. Staff recommended the Commission approve the agreement and authorize the Chairman to sign the 50/50 cost-share agreement with a total budget of \$1,394,500. The reimbursable amount equals \$697,250. The budget accounts to be used: Sand Trap Dredging-Construction/Local Share (5372-311) and Sand Trap Dredging-Permit Related Costs/Monitoring (5372-470).
3. Work Order No. 2021-018- ESA, Environmental Science Associates – Sebastian Inlet North & South Jetty Assessment Services
The proposed work order will complete the recommended 2021 structural assessments of the north and south jetties along with a reconnaissance-level, in-water evaluation of the north jetty armor stones and the jetties' benthic conditions. Any future repair costs will be allocated per the MOA executed in November of 2018 with the Department of Environmental Protection. The work order total is \$25,749.00; Environmental Science Associates will invoice the District on a not-to-exceed, time-and-materials basis. The budget account to be used: Construction Programs-North Jetty Maintenance and Repair (5375-472).
4. Work Order No. 2021-019-LLW, Lewis, Longman & Walker, P.A - Engagement Agreement – Inlet Management Plan Update & Potential Litigation
Staff recognizes that specialized legal representation is required for the District's Inlet Management Plan (IMP) update project. The work order engages Lewis, Longman & Walker (LLW) to provide that representation during the IMP update process along with counsel needed in the event of any challenge brought by downdrift property owners. Fred Aschauer, a former DEP Bureau Chief-Beaches and Shores, would serve as lead LLW attorney assisted by partner, Steve Lewis. The budget account to be used: Legal Counsel-Attorney/Special (5140-314).
5. Work Order No. 2021-020-CRI (Carr Riggs Ingram)
Audit of Financial Statements for the Period Ending September 30, 2021
Local governmental entities (i.e., Special Districts) located in Florida are required by Florida law (Section 218.39, F.S.) to have an annual financial audit. The District's auditors, Carr Riggs Ingram (CRI), proposed audit services for the fiscal year period ending September 30, 2021 in their letter dated July 12, 2021. The fee for these services is \$20,000.00. Staff recommends approval of Work Order No. 2021-020-CRI with CRI for the audit and authorization for the Executive Director sign the CRI letter

of engagement. The budget account to be used: Financial and Administrative-Accounting Audit (5130-320).

Commissioner Mitchell made a motion to approve the Consent Agenda. Commissioner Rowland seconded the motion. The **motion carried 5-0**.

Under Agenda Item X
Commissioner Items

Commissioner Mitchell – In spite of the recent engagements with some District residents, she acknowledged the cohesiveness of the Commission meetings and stated her appreciation for the work that has been done over the years by staff in support of the District’s mission. She also welcomed new employee, Ed Garland.

Commissioner Frazier – Recognized new hire, Ed Garland.

Commissioner Hendricks – Referenced articles that appeared in 32963 this month on beach renourishment and Ponce de Leon’s local explorations. He added a comment on recent reports that recognized local amenities like the Inlet help with tech company recruitment in the area.


Commissioner Rowland – Noted the intensive, high-tech surveying activity at the Inlet is the right thing to do.

Chairman Lawton Seal – Reminded the Commissioners to sign the Resolution presented earlier, before they leave the meeting.

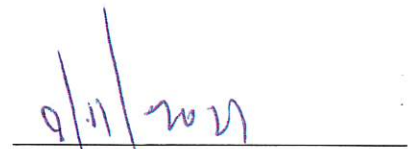
Under Agenda Item XI
Unfinished Business – Nothing at this time.

Under Agenda Item XII
New Business– Nothing at this time.

Under Agenda Item XIII
Adjournment – Chairman Lawton Seal adjourned the meeting at 5:30 p.m.



Secretary/Treasurer



Date