

Sebastian Inlet District
Regular Commission Meeting
Wednesday, 4:30 PM, May 8, 2024
Sebastian Inlet Fishing Museum
9700 South Highway A1A
Vero Beach, FL 32963

Minutes

Present at the meeting were: Chairman Jenny Lawton Seal, Commissioner Beth Mitchell (Vice Chair), Commissioner Michael Rowland (Secretary/Treasurer), Commissioner David Barney and Commissioner Lisa Frazier. Also, in attendance were: Executive Director James Gray, Director of Contracts & Budget David Kershaw, SID Public Outreach Associate Ed Garland, SID Legal Counsel Shawn Demers, Ken Torres (SISP), Dr. Gary Zarillo (Florida Tech), and Quintin Bergman (IRC).

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 December 13, 2023. Commissioner Rowland made a motion to approve the minutes. Commissioner Barney seconded the motion. The **motion carried 5-0**.

Under Agenda Item III

Presentations

Presentation of the 2023 State of the Inlet Report — Dr. Gary Zarillo, Florida Tech

Dr. Zarillo gave a detailed PowerPoint presentation of his annual State of the Inlet Report in which he described seasonal sand volume and shoreline changes and the inlet's sediment budget. Fluctuations in flood shoal volumes between 2006 and 2023 show that the overall trend is down. The trend has been upward for the ebb shoal and oscillating. The sand trap is ready to be excavated and should produce well over 100,000 cubic yards of sediment.

Dr. Zarillo emphasized that seasonal sea level fluctuations influence sand volumes along the coastline. The coastal engineering community is beginning to accept the impacts of the dynamics of the gulf stream. Dr. Zarillo said there is much literature verifying that a gulf stream slowdown contributes to rising coastal sea levels. Florida Tech is developing real-time models that includes the impacts of variations in the gulf stream.

Dr. Zarillo concluded that the inlet is in a long-term dynamic equilibrium, there are periods of sand losses and gains that correlate with rising and falling sea levels. Sixteen and 10-year intervals indicate that the sand budgets are balanced under the District's current management plan. Mr. Gray said Dr. Zarillo's data suggests that the District's is meeting its objective in placing sand on downdrift beaches in conjunction with Indian River County. Dr. Zarillo's entire presentation is in the recorded minutes.

Under Agenda Item IV

Information and Discussion Agenda

A. Executive Director's Reports

1. Update on the FDOT Sebastian Inlet Bridge Project

Mr. Gray said he met with FDOT the previous week and discussed easements that FDOT needs for the bridge project. Mr. Gray will be discussing the requests with the District's legal

counsel. FDOT has requested to give a presentation about the bridge project to the Commission during its regular meeting on July 10, 2024.

2. Update on the 2024 North Jetty Cleanup

Mr. Gray said the third annual law enforcement cleanup event at the jetty was a success. He deferred to Mr. Torres, who reported that the cleanup netted about 1,500 pounds of trash. Mr. Gray, responding to Commissioner Frazier, said much of the trash included fishing lures and cast nets.

3. Budget Planning Discussion FY 2024/25

Mr. Gray and Mr. Kershaw have begun planning the budget for the fiscal year 2024-25. Mr. Gray provided a spreadsheet that laid out a potential budget based on an estimated roll-back rate of 0.1077 mils. The current rate is 0.1066 mils. Estimated total revenues, including grants, would be \$15.377 million. However, due to the upcoming north jetty project and a dredging project, the District's estimated project costs are about \$13 million. This would bring the District's total budget to \$19 million. Using the roll-back rate, the District would be short by about \$3.5 million. Mr. Gray said he was seeking the Commission's direction in how to proceed.

Commissioner Barney asked whether the anticipated \$6 million in grant money has already been approved. Mr. Gray said there is a high confidence that the District will receive the money but that it is not guaranteed. Commissioner Mitchell asked Mr. Gray for a baseline budget that would include normal operating costs and the required 75,000 cubic yards of sand (annual average) placement. Mr. Gray said the budget would be between \$10 million and \$10.5 million annually. He explained that the District's cost of placing sand on the beaches will be between \$4 million and \$5 million annually. Commissioner Rowland asked about the feasibility of issuing a bond to purchase beachfront properties that have been involved lawsuits with the District as a way to eliminate future costly lawsuits. Commissioner Mitchell expressed concern about raising taxes and said she preferred a more even approach to addressing projects. She said Mr. Gray should continue to seek grants to help fund projects. Mr. Kershaw noted that the District will receive property value estimates from the property appraisers' offices at the end of the month, which will help sharpen the budget. Mr. Gray added that marine contractors are reporting project costs increases of 30 percent, prompting Commissioner Barney to ask when the District will lock in its project costs. Mr. Gray said that AtkinsRéalis will prepare the District for bidding in July 2024, which will lock in costs earlier and also provide more clarity in developing the budget. Commissioner Frazier asked what millage rate would be required to meet the District's projected shortfall. Mr. Gray said the required rate would be 0.17 mils. Following further discussion, Mr. Gray said he will provide a more detailed draft budget at the next Commission meeting as additional financial information becomes available. Commissioner Rowland requested an estimate of the tax value of homes owned by those who claim they are impacted by the inlet.

4. Discussion of Consent Agenda

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

Under Agenda Item V

Public Outreach Activities

Mr. Garland provided an overview of recent and upcoming public outreach activities, including highlights about the District's most popular social media posts, and recent/upcoming presentations. He noted that more than 73,000 people visited the District's website in April 2024, a new record.

Under Agenda Item VI

Park Matters – Sebastian Inlet State Park Manager Ken Torres said the law enforcement cleanup was a success and that the park has been especially busy.

Under Agenda Item VII

Legal Counsel Update — Shawn Demers (Gray Robinson)

Mr. Demers said he received the Commissioners' performance evaluations for Mr. Gray and that they should discuss the issue of a possible cost of living or merit increase, which were mentioned in the evaluations. Commissioner Mitchell made a motion to give Mr. Gray a five percent salary increase. Commissioner Rowland seconded the motion. **The motion carried 5-0.**

Under Agenda Item VIII

Public Comment Period

There was no public comment.

Under Agenda Item IX

Consent Agenda

A. Authorized Work for Commission Review

No items.

B. Recommended for Approval

1. Continuation Agreement – GrayRobinson, P.A. for General Legal Matters

Mr. Gray said that the rules regulating Florida attorneys encourage GrayRobinson, P.A. to determine whether the Commission seeks to continue with the firm in the wake of General Counsel Jack Kirschenbaum's retirement on May 3, 2024. Staff confirmed with Mr. Demers that if the Commission continues with GrayRobinson, P.A., the legal services and fees will run with the term of the existing agreement.

2. Work Order No. 2324-014-LLW, Lewis, Longman & Walker, P.A. Engagement Agreement – Special Counsel – Coastal/Environmental Matters

Mr. Gray said the agreement allows for attorney Frederick Aschauer, Jr., to continue to provide the District with specialized legal advice and representation on coastal and environmental matters through September 30, 2025. He will provide services as the District implements its updated Inlet Management Plan.

3. Work Order No. 2324-015-GPI, GPI Geospatial, Inc. 2024 Shoreline Aerial Monitoring

Mr. Gray said the proposed work order continues GPI Geospatial's services that includes providing aerial photography to support the District's permit-required monitoring of the beaches 40,000 feet north and 30,000 feet south of the inlet. The total amount of the work order is \$18,900.

4. Work Order No. 2324-016-GPI, GPI Geospatial, Inc. 2024 Inlet Shoal Aerial Monitoring

Mr. Gray said the proposed work order continues GPI Geospatial's aerial photography services need to analyze seagrass coverage along the inlet shoals. The total amount of the work order is \$11,500.

5. Work Order No. 2324-017-FIT – Florida Institute of Technology, Inc. State of the Inlet Report
Mr. Gray said that the work order is a continuation of the modeling and analytical services Florida Tech provides that are necessary for the District’s annual update to the State of the Inlet Report. Total cost is \$136,110, which is the same cost as last year, Mr. Gray noted.

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

Under Item X
Commissioner Items

Secretary/Treasurer Rowland – Nothing.

Vice Chair Mitchell – Thanked Dr. Zarillo for his presentation and lauded Mr. Gray for his service to the District. Commissioner Mitchell also requested the District’s legal counsel to draft a resolution that would require the Commission to annually revisit for discussion the Commissioners’ compensation. The entire Commission supported her suggestion.

Commissioner Frazier – Nothing.

Commissioner Barney – Will not be attending the June 12 Commission meeting.

Chairman Lawton Seal – Nothing.

Under Item XI
Unfinished Business
No Unfinished business.

Under Item XII
New Business
No new business.

Under Item XIII
Adjournment — Chairman Lawton Seal adjourned the meeting at 6:40 p.m.



Secretary/Treasurer

Date

6/11/24