

Sebastian Inlet Tax District

Wednesday, December 9, 2020 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 Lisa Frazier. Commissioner Chris Hendricks (absent). Also in attendance were: Executive Director James Gray, Contracts & Accounting Manager Dave Kershaw, SID Legal Counsel Jack Kirschenbaum, Eric Charest (Indian River County) 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 November 18, 2020. Commissioner Rowland made a motion to approve the minutes. Commissioner Frazier seconded the motion. The **motion carried 4-0**.

Under Agenda Item III

Information and Discussion Agenda

A. Executive Director's Reports:

1. Update on 2020/21 Sediment Bypassing Project

Mr. Gray brought to Commission's attention photos of the current beach project. He reported that construction activities have begun with Phillips & Jordan mobilizing on November 19th. P&J are currently screening material (32,000 of 55,000 yards) to remove large, rock nodules. Before mobilization, 14 Gopher Tortoises (GT) were removed from the site and relocated to Triple S Ranch, Okeechobee, Florida. There may be three additional GT on the site that will be removed and relocated after temperatures return to seasonal normals. As part of the DMMA project, the District has authorized more maintenance including re-grading the berms, increasing the DMMA capacity and excavating approximately 2,800 cy of silts and fines in the DMMA sediment trap area. The silt and fines are going to a site in Titusville, with a vendor certification of legal disposal. P&J's beach operations schedule has not been determined yet given that the DMMA screening is in the early phase. Approximately 10,000 cy of material screened to date and P&J estimates transporting an average of 1,500 cy of material to the beach daily when that phase commences. P&J will be closed for the holidays beginning December 24.

2. Update on the Sebastian Inlet State Park Easements

Mr. Gray noted that around April 2019, he notified the Commission that a number of the District's state park easements had expired and/or needed to be modified in order for the District to carry out its charter responsibilities. This included easements related to the sand trap, north and south shorelines stabilization, the DMMA, and new locations for staging areas. Due to multiple staffing changes at the State and the easement consultant firm, Coastal Systems International (CSI), progress has stalled on this task. In the meantime, current conversations with State agencies responsible for upland and submerged lands as well as our consultants have led to the conclusion that additional easements and surveys will be required. Mr. Gray reported that he was confident that this was the last "piece of the puzzle" required before the District has a fully ratified series of easements to operate in the state park. Commissioner Mitchell asked if all the new easements will have the same

time frame. Mr. Gray reported that state does not issue perpetual easements any longer—50 years is the maximum time frame now. He said the goal of the effort is to have the easements renew/expire concurrently. Mr. Gray has lost some confidence in the consultant and may consider making a change. The consultant delay has not impacted the recent DOT bridge initiative. He will update the Commission on this at the next meeting.

3. FDEP Grant 20IR1—Reimbursement

Mr. Gray reported that the District has received and deposited a reimbursement check from DEP in the amount of \$165,396.25 for work under DEP grant 20IR1 (monitoring activity). About \$200,000 remains in the grant and the District is working to have those funds reallocated. Mr. Gray introduced Eric Charest (Indian River County) who provided the Commission with an update on the County's beach and reef projects.

4. Discussion of Consent Agenda

a. Authorized work for Commission review: None

b. Recommended for Approval:

1. Approval of Master Services Agreement – Florida Institute of Technology, Inc. For Continuing Professional Inlet Management and Coastal Engineering Support Services

Mr. Gray informed the Commission that the District and Florida Institute of Technology have negotiated a new master professional Services agreement. The agreement, authorized under F.S. 287.057, is an update of the prior agreement, specifies the hiring of Dr. Zarillo, and has a term of a five years with an optional five-year renewal. A work order authorized under the agreement will be presented to the Commission for approval next month. Mr. Kirschenbaum explained that this agreement is excluded under statute from general bid requirements due to the single-source nature of the specialized work. A discussion ensued on the ownership of equipment purchased by Florida Tech. Staff explained that the ADCPs purchased by FIT under prior agreements have not gone on the District's inventory in the past. Mr. Gray will update the Commission on the District's inventoried items at the next meeting.

Under Agenda Item IV

Park Matters – Jennifer Roberts, SISP Park Manager

Ms. Roberts reported the Park is back to 100% capacity. However, because the Park is without a couple of ranger positions, some areas of the park are still closed. Due to reduced staffing, the Park is also limiting events with expected attendance of more than 50 people. The Park concessionaire is working on hosting a farmer's market on the third Saturday of each month. Ms. Roberts also mentioned that the state DOT project is pretty much done. She thanked Mr. Gray for his coordination with her on the current beach project. Commissioner Rowland made mention of the end of snook season and the potential for unwelcome interaction between fisherman.

Under Agenda Item V

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

Mr. Kirschenbaum wished those present a Happy Hanukah, Merry Christmas, Happy Kwanzaa and a Happy New Year. He made note of his handout regarding Florida's ethics, sunshine and public records laws. The handout is a revised refresher of the presentation previously made to the Commission on these matters. Mr. Kirschenbaum called special attention to telephone calls, Facebook, text and email communications which are subject to public

record laws, He advised Commissioners to obtain a screen shot of such communications and send them to Mr. Gray for inclusion in the District's official records. He reminded the Commissioners that he is willing to discuss these matters at any time.

Under Agenda Item VI

Public Comment Period

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

Under Agenda Item VII-

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

Under Agenda Item VIII

Commissioner Items

Commissioner Mitchell – Commissioner Mitchell wished everyone happy holidays. The staff and Commissioners then congratulated Commissioner Mitchell on her birthday.

Commissioner Frazier – Commissioner Frazier also wished those attending a happy holiday and the advised everyone to stay safe and healthy.

Commissioner Rowland – Commissioner Rowland wished everyone a happy holiday, a great year to come and good fishing.

Chairman Lawton Seal – Commissioner Lawton Seal wished everyone a Merry Christmas and Happy Hanukah.

Under Agenda Item IX

Unfinished Business – Nothing at this time.

Under Agenda Item X

New Business– Nothing at this time.

Under Agenda Item XI

Adjournment – Chairman Lawton Seal adjourned the meeting at 5:00 p.m.



Secretary/Treasurer

1/13/21

Date

(4 of 4)

