

Sebastian Inlet Tax District

Wednesday, October 10, 2018 4:00 p.m.

Regular Commission Meeting

Sebastian Inlet District Office

Indianalantic, Florida

Minutes

Present at the meeting were Chairman Jenny Lawton Seal, Commissioners Beth Mitchell, Ann Perry and Michael Rowland. Commissioner Dave Pasley was absent (excused). Also in attendance were: Administrator Martin Smithson, staff members Dave Kershaw and Michelle Malyn, District legal counsel Jack Kirschenbaum, James Gray (IRC), Chris Hendricks (SID Candidate), Sebastian Inlet State Park Manager Jennifer Roberts, and Sebastian Inlet State Park Assistant Park Manager Matt Phifer.

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 September 12, 2018 – Commissioner Mitchell moved to approve with Commissioner Rowland seconding. **Motion carried 4-0.**

Under Agenda Item III

Information and Discussion Agenda

Media and Information – There was no discussion of the contents of the media packet.

Executive Director's Reports

1. DEP Cost Share Application – Mr. Smithson reported receiving comments in response to the application SID submitted for cost-share funding. Overall, we scored well with one area SID will need to work to resolve. SID received 13½ points of 20 in balancing the sediment budget. The reason: DEP is holding us to the 90,000 cubic yards/year as recommended by the TAC in 2005. Mr. Smithson reminded the Commission that we accepted the TAC findings, noting for the record that we did not agree with it, but DEP had never certified that number formally. Further, per Dr. Zarillo's modeling work, data shows that 70,000 cubic years/year is more realistic and that's what the current, DEP certified Inlet Management Plan outlines (*at the time of the 2005 TAC recommendation, we had not yet initiated the partnership with FIT and Dr. Zarillo to collect the data that supports that figure.*). Mr. Smithson recommended a formal process to update and certify our Inlet Management Plan using the FIT data SID has collected over the last 10+ years. Mr. Smithson expects that will be a year-long process, and shared that he recently met with Dr. Zarillo who has new data that shows the inlet is not trapping as much sand as we thought. Comparing the winter and summer bathymetric surveys suggests the Trap lost sand and he is working on further analysis. The data also shows volume gains in other reservoirs, including; flood shoal, ebb shoal and the channel. Commissioner Mitchell asked if this new data would impact the planned dredging project that SID put out for re-bid. Mr. Smithson indicated that Dr. Zarillo was confident we could mine 120,000 cubic yards, out of the planned 150,000, at minimum, and is still working on the final sediment budget. Commissioner Mitchell asked if the FY 18-19 budget included the facilitation of an updated Inlet Management Plan. Mr. Smithson indicated that Districts typically go after funding for this type of a project because of the data collection piece. That's why it is so expensive. SID already has the data, and that will significantly minimize the cost associated with updating the plan. Consensus to move forward with updating SID's Inlet Management Plan.

2. Memorandum of Agreement (MOA) with DEP – Mr. Smithson reported finalizing the MOA with DEP, working in tandem with David Clark and legal counsel. It is included under the Consent Agenda. Mr. Smithson recommends the document for the Commission’s approval and execution. In addition to safety and security which has been the focus in recent months, the agreement thoroughly addresses items including, but not limited to; maintenance of the inlet, easements and access, assignments of law enforcement, and coordination and communication between SID and the State. Mr. Smithson noted that the addition of definitions (on page 68 of this packet) helped tremendously in getting the language of the MOA finalized. Commissioner Mitchell asked if the list of rules included in the MOA were drafted to specifically address behavior on the North Jetty. Mr. Smithson confirmed that list was provided by DEP and sync with the rules and code of conduct authored by SID. Commissioner Mitchell asked what entities will be enforcing these rules. Per the MOA, both FWC and BCSO will have the authority to enforce the agreed upon rules. Mr. Smithson then highlighted the informal arrangement with BCSO that had deputies randomly patrolling after the start of Snook season, wanting to wait until the MOA was executed before formally hiring BCSO for patrols to supplement FWC efforts. In the interim, BCSO has begun independently reaching out directly to FWC to coordinate efforts, and next steps include a joint orientation for BCSO and FWC addressing the specific rules once the MOA is fully executed. Commissioner Rowland noted that he had not received complaints for some time, indicating a clear improvement in safety and security.
3. Re-Bid Schedule for Trap and Channel Dredging – Mr. Smithson reported the re-bid was advertised on 9/24 with a bid letting and tabulation scheduled for 10/24 at 2:00 p.m. Early interest has been good with 14 inquiries to date, and we already have a fair volume of questions which is a good sign. We’ll be getting bids on three alternatives; 1- doing the entire project this year, 2- filling the DMMA this season and beach placement next season, and 3- completing the entire project next year. Mr. Smithson asked James Gray to share new developments regarding the availability of beach quality sand from upland sand sources. With the caveat of further contaminants testing and scrutiny, FIND’s DMMA site on US 1 just north of Wabasso bridge may be able to provide beach quality sand via truck haul at affordable pricing. At the prior Commission meeting, this was posed as a fourth option after re-bid with another no-bid response.
4. Public Outreach Activities & Port of Palm Beach Visit – Mr. Smithson reported a good amount of new material featured on our website and Facebook page, most recently including downloadable bathymetric maps available to the public to aid in the navigation of the inlet, and a story on the status of the seagrass recovery on the flood shoal. Mr. Smithson referenced Malyn connecting with the Port of Palm Beach which celebrated their centennial in 2015. The Port of Palm Beach was created by the Florida State Legislature, has five elected Commissioners, and can collect taxes per its charter, just like SID. They were happy to share what activities they engaged in as part of their 100th anniversary and hosted us for the day with a presentation and informational tour. Chairman Jenny Lawton Seal accompanied Smithson and Malyn. Chairman Lawton Seal detailed the visit and some of the centennial celebration activities (ie: coffee table book, Gala celebration). Mr. Smithson reported that work continues on the SID centennial campaign plan with suggested components and cost. That will soon be shared with the Commission. Discussion ensued on securing sponsorship to help underwrite the costs associated with the campaign. Chairman Lawton Seal referenced that the Port of Palm Beach staff was charged with securing sponsorship to underwrite all activities. Commissioner Rowland suggested securing sponsorship may be a good idea, and asked Legal Counsel Kirchenbaum to advise the Commission. Kirchenbaum said legally you can secure sponsorship from vendors and partners so long as you treat everyone the same, and highlighted a Brevard County example of securing private funds for its newsletter publications as a common occurrence. Commissioner Mitchell would like to see specific suggested activities, considering sponsorship for specific items that we need funding for rather than cart blanche Commission

approval to seek sponsorship. She referenced some people consider it a slippery slope to marry private enterprise with public funding. No consensus on securing sponsorship at this time.

5. Recommendation for Administrator/Executive Director Position – Mr. Smithson shared this has been a long, thoughtful process, with a Commission approved transition plan. Among a number of excellent candidates and after publicly advertising the position, two names consistently rose to the top; James Gray and Dave Kershaw. Given the SID charter calls for technical engineering staff, and after considering the direction in which SID is going to include the need for a more technical background, the Selection Committee, comprised of Mr. Smithson, Dr. Zarillo and Chairman Lawton Seal, recommends James Gray without reservation for the position. Mr. Smithson added that he believes this will be a seamless transition given the working relationship between SID and IRC, and noting Mr. Gray knows all of the key players in the industry.

Motion made by Commissioner Beth Mitchell to accept the Selection Committee's recommendation and offer James Gray the Administrator/Executive Director position. Seconded by Commissioner Perry and opened for discussion by Chairman Lawton Seal. Commissioner Rowland noted being pleased with the recommendation and that Mr. Gray would have big shoes to fill. Commissioner Rowland further noted we could have cast a broader net, but he's confident that Mr. Gray would have risen to the top regardless. **Motion carried 4-0.**

Mr. Gray respectfully thanked the Commissioners for their faith and confidence, and noted he was looking forward to assuming the position and working with Mr. Smithson during the transition. Mr. Hendrix noted working with Mr. Gray for the last 12 years, and indicated that in his opinion, there is no one more technically qualified and passionate about the ocean than Mr. Gray. He further noted that successes in Indian River County are attributable to Mr. Gray's hard work and ability to engage with people and partners.

6. Additional Items – Mr. Gray noted that Indian River County is monitoring reports of red tide. Moderate levels have been identified in Palm Beach County, with spotty sampling in Martin and St. Lucie County. No Indian River County sampling has tested for red tide and the County is proactively developing a plan should it become an issue, with public information and resources on the website.
7. Discussion of Consent Agenda - Authorized Work for the Commission's review includes Item A. Recommended for approval includes Item B.
 - a. Work Order #1718-020-VEROLA – Verola Studio of Vero Beach for production, filming and post-production for a historical video on the Sebastian Inlet District for the centennial celebration. Total Not-To-Exceed \$4,995.
 - b. Approval of Memorandum of Agreement between the Sebastian Inlet District and the Florida Department of Environmental Protection (as detailed under Agenda Item III, 2).

Under Agenda Item IV

Recognition of Commissioner Ann Perry – Commissioner Ann Perry was recognized for her 16 years of service and presented a plaque for her dedication and leadership. Every Commissioner commended and thanked Commissioner Perry for her service, and Mr. Smithson noted how dependable and conscientious she was during her tenure.

Under Agenda Item V

Park Matters – Jennifer Roberts was introduced as the newly appointed Sebastian Inlet State Park Manager, and welcomed by the Commission. Officially, she is working between two Parks in the short-term, SISP and Hugh Taylor Birch State Park in Ft. Lauderdale. Ms. Roberts referenced the Secretary of DEP and the ONE

FLORIDA initiative. DEP's role in that is to reach out to partners, stakeholders and the community-at-large to come together around shared interests, developing solid partnerships. Ms. Roberts referenced she looks forward to working with the SID Commission, is encouraged by the progress made on the MOA and is excited to assume her position at SISP full-time in the coming weeks.

Under Agenda Item VI

Legal Counsel Update–Kirchenbaum indicated there was nothing to report at this time.

Under Agenda Item VII

Public Comment Period – No public comments.

Under Agenda Item VIII

Consent Agenda – Commissioner Mitchell moved to approve the consent agenda with Commissioner Rowland seconding. **Motion carried 4-0.**

Under Agenda Item IX

There were no Commissioner items.

Under Agenda Item X

Unfinished Business – There was no unfinished business.

Under Agenda Item XI

New Business – There was no new business

Adjournment – Chairman Lawton Seal adjourned the meeting at 5:14 p.m.



Secretary/Treasurer

_____ Date