

**MINUTES OF THE
FLORIDA INLAND NAVIGATION DISTRICT
Board of Commissioners Meeting
9:00 a.m., Friday, October 13, 2017
Renaissance Fort Lauderdale Cruise Port Hotel
1617 SE 17th Street
Fort Lauderdale, Broward County, Florida 33316-1720**

ITEM 1. Call to Order.

Chair Netts called the meeting to order at 9:06 a.m.

ITEM 2. Pledge of Allegiance.

Secretary Gernert led the Pledge of Allegiance to the Flag of the United States of America.

ITEM 3. Roll Call.

Secretary Gernert called the roll and Chair Netts, Vice-Chair Donaldson, Treasurer Blow, Commissioners Cuozzo, Crowley, Isiminger, O'Steen, Sansom, and Williams were present. Treasurer Blow and Commissioner O'Steen participated by telephone. Commissioner McCabe was absent. Secretary Gernert stated that a quorum was present.

ITEM 4. Consent Agenda.

Chair Netts asked if there were any comments or questions regarding the Consent Agenda. There were none.

Commissioner Williams made a motion to approve the Consent Agenda as presented. The motion was seconded by Secretary Gernert. Chair Netts asked for discussion. Hearing none, a vote was taken and the motion passed unanimously.

ITEM 5. Additions or Deletions.

Chair Netts asked if there were any additions or deletions to the meeting agenda.

Mr. Crosley stated that he would like to add to the agenda: Item 20A, Personnel Committee Report.

Commissioner Isiminger made a motion to approve the final agenda as amended. The motion was seconded by Commissioner Sansom. Chair Netts asked for discussion. Hearing none, a vote was taken and the motion passed unanimously.

ITEM 6. Public Comments.

Chair Netts asked if there were any public comments on issues that are not on today's agenda. There were none.

ITEM 7. Board Meeting Minutes.

Mr. Crosley asked if there were any comments or questions regarding the June 16, 2017, June 17, 2017 and July 21, 2017 Finance and Budget Committees and Board meeting minutes. There were none.

Treasurer Blow made a motion to approve the June 16, 2017, June 17, 2017 and July 21, 2017 Finance and Budget Committees and Board meeting minutes as presented. The motion was seconded by Commissioner Sansom. Chair Netts asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 8. Staff Report on Broward County Area Projects.

Mr. Crosley stated that Phase I of the Dredged Material Management Plan (DMMP) for the Intracoastal Waterway (IWW) in Broward County was completed in 2003. Phase II of the DMMP was completed in 2004.

Mr. Crosley stated that the 50-year dredging projection for the twenty-five (25) miles of channel in Broward County is 33,644 cubic yards and the storage projection is 72,334 cubic yards of material. This is the lowest dredging projection of any of the District's twelve (12) counties. The majority of this dredging (81%) is associated with the Hillsboro Inlet area.

Mr. Crosley stated that three (3) upland Dredged Material Management Areas (DMMA) and one beach placement area will manage dredged materials from the waterway

Mr. Crosley stated that the District completed the majority of the deepening of the IWW from the 17th Street Causeway to north past the Las Olas Bridge, with the exception of two (2) utility crossings. The project was completed by December 2016, more than six (6) months early and within budget. Funding for this \$19 million project was accumulated in the District's budget over three (3) fiscal years and distributed over two (2) fiscal years. This project created navigation and docking opportunities for deep-draft and larger vessels and resulted in an increase in marine-related business. This economic benefit has been effectively demonstrated when the District successfully completed the deepening of the Dania Cut-Off Canal between Port Everglades and US Route 1. The completion of that project, with a project depth of -15' Mean Low Water (MLW), lead to the economic stimulus of additional marine-related business on the waterway. The Broward IWW Deepening project is expected to result is similar marine-related benefits. Both projects were cooperative efforts with the Marine Industries Association of South Florida (MIASF), Broward County, Port Everglades and the Cities of Fort Lauderdale and Dania Beach.

Mr. Crosley noted that there is approximately 50,000 cubic yards of material located within the federal channel in Broward County Reach I. The U. S. Army Corps of Engineers will be performing maintenance dredging in that area in 2018.

ITEM 9. Comments from the U.S. Army Corps of Engineers.

A U.S. Army Corps of Engineers (USACE) will provide an update on the Intracoastal Waterway Projects at the District's November Board meeting.

ITEM 10. Summary Report of the Broward County Intracoastal Waterway Deepening Project, Broward County, Florida.

Secretary Gernert stated that the economic impact of this project to Broward County was immediate. The MIASF has stated on numerous occasions how much this project was appreciated and the positive impact it has had on the local marine industry.

Ms. Lori Brownell, with Taylor Engineering, Inc. presented a summary of the Broward Deepening Project. Existing depths in the IWW, part of the federally-authorized navigation channel along Florida's east coast, were -10-feet MLW. The District sponsored this project to deepen the IWW channel to -15-feet MLW, with a – 2-foot over-dredge, in a two-mile section from the 17th Street Causeway to just north of the Las Olas Bridge. A documented 179,368 cubic yards of material from the IWW channel was mechanically

dredged and transported by barges. Because the mechanical dredge was one of the largest in the country, the right equipment allowed faster dredging without turbidity. The material was then dewatered and temporarily placed at a DMMA located at Port Everglades. Dredging began the first week of May 2016 and continued through 2017. Broward County residents and the area's vital marine industry have benefited from deeper water and easier navigation following the completion of the IWW deepening project in 2017.

Ms. Brownell stated that one of the main objectives of the project was to provide increased access for mega-yachts to obtain repair and retrofit services from existing boatyards. The project area in the Fort Lauderdale Boat Show was completed in time for the 2016 boat show allowing access for larger yachts to be displayed.

Ms. Brownell stated that there are three (3) utility crossings are remaining within the project template. In the Swimming Hall of Fame area, an FP&L subaqueous cable duct has not been encased and moved. The District paid FP&L \$1 million for this line to be relocated. Permitting and directional boring has been completed. Staff will meet with FP&L if additional progress is not made. In the Las Olas Boulevard area, FDOT has determined that their line under the bridge cannot be relocated and they have no plans to relocate the switch cables. AT&T has six (6) 10.2-centimeter conduit bundles at or above -16 feet MLW that cannot be relocated until the permits from the City of Fort Lauderdale are received.

Ms. Brownell stated that the dredging portion of this project was completed one-year ahead of schedule and \$2 million below the engineer's original estimate.

Ms. Brownell noted that in May 2017 the MIASF presented the District with a Project Award of Excellence award and in June 2017, the project made the cover of International Dredging Review.

Mr. Crosley noted that Lori Brownell with Taylor Engineering, Inc was recognized with an Engineering Excellence Award for the Broward Deepening Project.

Mr. Jerry Scarborough, with Taylor Engineering, Inc., stated that the USACE has changed the Authorized Project Policy and all new project permits will be required to dredge at -24-feet. MLW or deeper.

Ms. Patience Cohn, with the MIASF stated that the Broward Deepening and the Dania Cut-Off Canal projects have had a significant positive economic influence on the community. The District's investment in dredging has allowed the marine industry to expand and create jobs for many people.

ITEM 11. Presentation and Review of the Economic Analysis Update of Palm Beach County Waterways, Palm Beach County, Florida and Approval of Economic Updates to Miami-Dade, Brevard and Flagler Counties.

Ms. Courtney Cortez and Mr. Craig Diamond, with the Balmoral Group, made a summary presentation of the Economic Analysis Update of the IWW in Palm Beach County. and presented a proposal for Miami-Dade, Brevard and Flagler counties.

Ms. Cortez stated that the total annual economic output related to the waterways in Palm Beach County is \$874 million. For every \$1 million spent on IWW dredging there is a \$300 million annual benefit to the local economy, providing 9,229 jobs.

Spending by Boaters and Waterway Tourists:

Commercial Fishing \$3.9 million
\$211 million Recreational Boaters and Tourists
\$308 million on Transportation and Accommodations
\$52 million on Fees and Recurring cost
\$102 million on Gear or Special Equipment.

Waterway Amenity Value:

\$2.7 Billion
\$77 Million to Federal Taxes

Elite Yacht Services and Dredging

\$55.5 million

Ms. Cortez stated that the break-down of annual IWW boating in Palm Beach County is as follows: 75% Pleasure, 32% Fishing, 7% Sailing and other activities, and 5% Watersports. Additional results of the analysis were presented.

Mr. Diamond stated that the draft report presented today will be reviewed for accuracy. He requested that commissioners and staff review the report for clarification and submit suggestions or changes to Mr. Crosley.

Commissioner Isiminger questioned the calculation about the number of times the average 26-foot boat is used yearly and noted that 42 days a year seems high. Mr. Diamond responded that a survey was sent to boaters and the responses were averaged. He will clarify the information.

Commissioner Isiminger asked if the economic impact of recreational boating to the IWW included maintenance. Mr. Diamond stated not in that category, the information was captured in another section of the report. He stated that he will clarify the information.

Commissioner Isiminger suggested that when calculating the funds that the District provides to the IWW, waterway-related Assistance Program funding be included in those calculations. Mr. Diamond stated that information is in the report separately. He will review the information and make clarifications.

Chair Netts suggested that the Assistance Program information be broken-down by new construction and maintenance.

Commissioner Sansom suggested providing more information about what FIND does for the waterway.

Commissioner Williams noted that commercial barge traffic statistics should be included in the report.

Vice-Chair Donaldson stated that he felt that the report was very good and broke out a lot of excellent components. This report is a general economic perspective of the IWW's contribution to the local economy. The break-down of waterway maintenance and the District's Assistance Program projects could be overwhelming. He felt the break-down by boat size provides valuable information when evaluating the District's Assistance applications. He stated that additional information regarding what boat ramp facilities are missing, what type of recreational waterway destinations would be of interest and what would make a person use their boat more often would be beneficial. Mr. Diamond stated

that the proposal for Miami-Dade, Brevard and Flagler counties allow for expansion of the boater survey.

Secretary Gernert requested that the Balmoral Group contact him when performing the economic analysis for Broward County.

Chair Netts requested a mid-project report be provided to the Board.

Commissioner Williams made a motion to approve a scope of work and fee quote in the amount of \$229,614.00 from The Balmoral Group to conduct Economic Updates to Miami-Dade, Brevard and Flagler Counties, Florida. The motion was seconded by Commissioner Cuzzo. Chair Netts asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 12. Washington D.C. Report and Federal Legislative Services Agreement Option.

Mr. Jim Davenport, with Alcalde & Fay, stated that for over a quarter of a century, Alcalde & Fay has been Washington's premier independent advocacy resource. From legislative and regulatory affairs, to communications, government marketing and procurement, Alcalde & Fay has helped cities, counties, and various government agencies meet their government affairs goals. He continued with a summary about the firm and the comprehensive services for FIND.

Chair Netts asked Mr. Davenport if he has any suggestions or information that should be included in the District's Economic Impact studies. Mr. Davenport answered yes and stated that information broken down by Congressional Districts would be beneficial.

Mr. Davenport stated that the Federal FY 2018 budget provided \$3.56 million for FIND IWW projects. The President's FY 2017 Budget Work Plan included \$2.85 million for the IWW. He is working to obtain waterway funding in the Federal FY 2018 Work Plan, which is currently being formulated and will be released in early February 2018. The President's FY 2018 Work Plan budget request currently includes \$3.56 million for the IWW and \$2.224 million for the AIWW.

Mr. Davenport stated that he is working with Representative Young to add revision language during markup of the Magnuson Steven Act Reauthorization.

Commissioner Sansom made a motion to approve the proposed agreement extension of Alcalde & Fay for federal professional legislative services. The motion was seconded by Treasurer Blow. Chair Netts asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 13. Purchase of Freshwater Wetland and Saltwater Mitigation Credits in Regional Watershed Mitigation Basin #21 (DMMA BV-4B), Brevard County, Florida.

Mr. Crosley stated that to remediate freshwater wetland impacts for the construction of Dredged Material Management Area (DMMA) BV-4B, and to remediate minor saltwater habitat impacts from the proposed pipeline route, it will be necessary to purchase the following (at minimum): Herbaceous credits 1.54; Forested credits 2.51; and Saltwater credits 0.1. All ratios were calculated utilizing the standard Uniform Mitigation Assessment Methodology (UMAM).

Commissioner Sansom made a motion to approve the purchase of UMAM freshwater and saltwater wetland credits in Regional Watershed Mitigation Basin #21 at a total cost of \$619,250.00 for mitigation of the construction of DMMA BV-4B, Brevard County, Florida. The motion was seconded by Vice-Chair Donaldson. Chair Netts asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 14. Status Report of the Palm Beach County Dredging Reach III South Maintenance Dredging Project, Palm Beach County, Florida.

Ms. Lori Brownell, with Taylor Engineering, stated that technical and permitting difficulties have been experienced pertaining to the Palm Beach County Reach III South Maintenance Dredging Project. The Florida Department of Environmental Protection (FDEP) and the U.S. Army Corps of Engineers (USACE) permits have been received. The bathymetric survey has been completed. The horizontal survey has been completed and it determined that there are 32 various utilities crossings, for five (5) utility companies, within the 4.5-mile project area. The utility crossings were near three (3) bridges. Not all the utility crossings are permitted. Geo-Tech borings detected limestone pockets at -16 to -21 feet.

ITEM 15. Scope of Services and Fee Quote for Professional Engineering Services for Reach III South Maintenance Dredging of the Intracoastal Waterway, Palm Beach County, Florida.

Mr. Jerry Scarborough, with Taylor Engineering, discussed a scope of services and fee quote for engineering services for the maintenance dredging of the south portion of Palm Beach Dredging Reach III. This section of the Intracoastal Waterway (IWW) has not been dredged in over 40 years.

Mr. Scarborough stated that there are up to thirty-two (32) identified utility crossings in this reach, each of which will need to be review and verified for location and depth, and coordinated with the utility owner for relocation.

Mr. Rocco Galleta, with Industrial Divers, Inc. stated that because the utilities are older, care is taken in locating them and the location method used is not invasive. The diver is on the bottom, with hand-held equipment, the utility is water jetted, air-lifted and then the depth of the utility is verified. The equipment is not heavy or machine driven. His company has done this for over 30 years and have never damaged a utility.

Treasurer Blow stated that some of these utility lines are 50 to 60 years old and may have become fragile. He noted that if a diver damages a utility line during this work, it is their responsibility. Mr. Galleta stated he understands.

Vice-Chair Donaldson made a motion to approve a scope of work and fee quote in the amount of \$257,494.14 (which includes \$162,265.00 for sub-consultant survey and diver location services) from Taylor Engineering for Engineering Services for Palm Beach Reach III South Maintenance Dredging of the Intracoastal Waterway, Palm Beach County, Florida. The motion was seconded by Secretary Gernert. Chair Netts asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 16. Assistance Projects Extension Requests: WAP/CAP Small -Scale Spoil Island.

Ms. Zimmerman stated that several Waterway Assistance Program (WAP) Project Sponsors have requested extensions of their FY 2015-16 project agreements.

Vice-Chair Donaldson made a motion to approve the requested project agreement extensions for one additional year. The motion was seconded by Treasurer Blow. Chair Netts asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 17. Assistance Program Rule Revision.

Ms. Zimmerman presented rule language for commissioner discussion and input. Staff does not recommend the rule language as currently written.

Commissioner Isiminger stated that he would like to encourage commercial usage and activities at public boat ramps and launching facilities for projects funded by the District.

Treasurer Blow asked the procedure for ordinances and resolutions. Attorney Breton stated that the procedure for adopting an ordinance is in the statutes and it does afford an opportunity for public notice and a public hearing for final adoption. A resolution appears on the council or commission legal notice and then the public must be afforded an opportunity for input before final action is taken. If the parks department adopts a policy bureaucratically, it would not require a public notice or opportunity for public comment.

Ms. Zimmerman stated that the intent of a language change should be that local government show that they are providing sufficient commercial user access to the waterway. The problem is that some local governments have severely eliminated all commercial user access to their boat ramps. The thought was that, if the District is going to fund a boat ramp project, commercial users of the waterway would be allowed to use the facility.

Attorney Breton stated that the District's current policy provides that all District funded projects are available to the general public, but it does not include the specific wording "commercial users" of the waterway. Some local governments have interpreted the current language to not include commercial users.

Vice-Chair Donaldson suggested ranking boat ramp facility assistance project applications that provide commercial access higher than those without commercial access.

Attorney Breton suggested funding applications that provide commercial access at a 65% match and applications without commercial access at a 50% match.

Commissioner Williams made a motion to table the proposed Assistance Program Rule revisions for rulemaking. The motion was seconded by Commissioner Sansom. A vote was taken, and the motion passed.

ITEM 18. Scope of Services and Fee Quote for Professional Engineering Services to Conduct a Review and Analysis of District-Wide Intracoastal Waterway Dredging Efficiencies.

Mr. Jerry Scarborough, with Taylor Engineering, presented a proposal to review the District's current and future dredging policies and technologies. The scope of work will perform a review of available documentation on dredging technology, methodology and

disposal placement alternatives, review ICW and Florida's eastern port dredging history and dredging efficiencies as it pertains to the FIND purchase, operation and maintenance of its own dredge and potential modifications to its contracting methods.

Mr. Scarborough reviewed minor word changes to the scope of work, including investigation of advanced dredging technologies, talking to industries, and the District's purchase of a small dredge.

Vice-Chair Donaldson made a motion to approve a scope of services, as amended, and fee quote in the amount of \$53,348.00 from Taylor Engineering for Professional Engineering Services to review and evaluate dredging efficiencies and technologies as applicable to the Intracoastal Waterway, Florida. The motion was seconded by Commissioner Sansom. Chair Netts asked for discussion.

Commissioner Sansom asked that the report identify each section of the IWW and show how much District funding is spent in that section.

Chair Netts asked for any additional discussion. Hearing none, a vote was taken and the motion passed.

ITEM 19. Finance and Budget Committee Report.

Vice-Chair Donaldson made a motion to approve the recommendations of the District's Finance and Budget Committee, June, July and August 2017 financial statements, the delegation of authority, and the expenditure and project status report. The motion was seconded by Commissioner Sansom. Chair Netts asked for discussion. Hearing none, a vote was taken and the motion passed unanimously.

ITEM 20A. Personnel Committee Report.

Chair Netts stated that the District's Personnel Committee met prior to the Board meeting and recommends that the Board authorize the Executive Director to implement a 3% cost of living increase for each employee and up to 3% bonus for each employee based on performance. The Committee recommends that the Board authorize a 5% salary increase for the Executive Director.

Chair Netts made a motion to approve the recommendations of the District's Personnel Committee to authorize the Executive Director to implement up to a 3% cost of living increase for each employee and up to a 3% bonus for each employee based on performance and a 5% salary increase for the Executive Director. The motion was seconded by Commissioner Sansom. Chair Netts asked for discussion. Hearing none, a vote was taken and the motion passed unanimously.

ITEM 20. Additional Staff Comments and Additional Agenda Items.

Mr. Crosley stated that the District's current SUV vehicle is 10 years old with approximately 100,000 miles. Staff is having mechanical problems with the vehicle and it is time to consider purchasing another vehicle. The District's vehicle needs to have a V-6 engine with 4-wheel drive because it is used to pull the District's boat and to access District sites. He would like to purchase a mid-sized SUV. He stated that the District has always purchased American made vehicles and he inquired as to the Board's thoughts regarding purchase of a foreign vehicle. He would appreciate spending authority up to \$50,000.00. The purchase of a vehicle is in the District's FY 2017-2018.

Commissioner Blow stated that many of the parts for American made vehicles are made overseas and most of the foreign made vehicles are put together in America. Staff should not limit the vehicle to the Big-Three.

Vice-Chair Donaldson stated that the District should follow the State of Florida vehicle procurement process. Mr. Crosley stated that he has contacted the State and the procurement process ends today and begins again on November 12, 2017.

The Board concurred to allow staff to move forward with the purchase of a District vehicle.

Mr. Crosley stated that The Florida Department of Environmental Protection (FDEP) declared an emergency as Hurricane Irma approached Florida and requested that they be allowed to remove sand from District Site DMMA SJ-1. Mr. Crosley authorized that removal and requested that they stay fifty-feet from the berm. The contractor dug from the outside into the berm and the access road. FDEP fired the contractor and has agreed to repair the access road and berm. FDEP hired Eastman & Associates, a firm the District has worked with previously, and the firm is familiar with Dredged Material Management sites. Taylor Engineering developed a document for the repair of the berm and access road. Attorney Breton has been in touch with the FDEP attorney. FDEP has been extremely responsive and are working quickly to repair the site.

Ms. Zimmerman stated that the Florida Fish and Wildlife Conservation Commission (FWC) and the U. S. Coast Guard are surveying the waterways to identify and remove sunken vessels. The FWC contacted the District to identify locations for storage of vessels removed from the waterway. They are asking for the use of one DMMA in each of the District's 12 counties. Mr. Crosley stated that staff will perform due diligence on this request and Attorney Breton would develop the agreements.

Commissioner Sansom stated that the FWC made a presentation on October 11, 2017 to the Florida Senate regarding Hurricane Irma's impact. The FWC has documented over 1,500 displaced vessels on the waterways.

ITEM 21. Additional Commissioner Comments.

Commissioner Sansom thanked Secretary Gernert for last evening's Community Outreach Event. The location was beautiful.

Secretary Gernert thanked the Board for attending last evening's event and meeting in Broward County.

Commissioner Isiminger noted that the permits for District Site M-8 have been received and the District's budget does not have funding for construction. When making financial decisions, it is important for Commissioners to remember what the District's true mission is and to make sure that funding is available for those projects.

ITEM 22. Adjournment.

Chair Netts stated that hearing no further business the meeting was adjourned at 12:44 p. m.

Jon Netts, Chair

Attest: Frank Gernert, Secretary

(SEAL)