

**MINUTES OF THE
FLORIDA INLAND NAVIGATION DISTRICT
Board of Commissioners Meeting
9:00 a.m., Friday, April 20, 2018
The Hilton Garden Inn
55 Town Center Boulevard
City of Palm Coast, Flagler County, Florida 32164-2387**

ITEM 1. Call to Order.

Chair Netts called the meeting to order at 9:03 a.m.

ITEM 2. Pledge of Allegiance.

Chair Netts 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, Crowley, Cuzzo, Isiminger, McCabe, Sansom and O'Steen were present. Commissioner Williams 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.

Treasurer Blow 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 18-A. Approval of the Low-Bid for North Boundary Additional Fencing at Dredged Material Management Area (DMMA) IR-14, Indian River County, Florida; Item 18-B. Approval of the Low-Bid for Specialty Clearing Services Along Fence Lines at (11) Eleven District Dredged

Material Management Areas; and Item 18-C. Waterway Assistance Program Project Review, Miami Marine Stadium Basin.

Mr. Crosley noted that a current Interest and Term of Funds sheet and additional information for Item 12 have been distributed to commissioners and staff.

Commissioner Isiminger made a motion to approve the final agenda as amended. The motion was seconded by Vice-Chair Donaldson. 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.

Chair Netts asked if there were any comments or questions regarding the March 16, 2018 Finance and Board Meeting minutes. There were none.

Secretary Gernert made a motion to approve the March 16, 2018 Finance and Board Meeting minutes as presented. The motion was seconded by Treasurer Blow. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 8. Staff Report on Flagler County Area Projects.

Mr. Crosley stated that Phase I of the Dredged Material Management Plan (DMMP) for the Intracoastal Waterway in Flagler County was completed in 1993. Phase II of the DMMP was completed in 1994 and all major land acquisition was completed in 1996.

Mr. Crosley stated that the 50-year dredging projection for the 20 miles of channel in Flagler County is 926,905 cubic yards and the storage projection is approximately 1,992,846 cubic yards.

Mr. Crosley stated that Phase I construction has been completed for all three (3) upland sites in Flagler County, DMMA FL-3, DMMA FL-8 and DMMA FL-12. All the sites have been fenced and the buffer of DMMA FL-12 was landscaped several years ago. Stabilization of the shoreline of DMMA FL-8 has been completed along with the installation of a pedestrian pathway along the shoreline that connects an existing waterfront walkway to the City of Palm Coast's Waterfront Park.

Mr. Crosley stated that DMMA FL-3 site construction was completed in 2015 and the site is ready to receive material from dredging Reach I in late 2018 or early 2019.

Mr. Crosley stated that routine maintenance dredging of the Intracoastal Waterway in the vicinity of the Matanzas Inlet and in Cut F-2 was completed in March of 2017 with U.S. Army Corps of Engineers (USACE) funding and project management. The material was placed on the beach at Summerhaven. The District is initiating plans and specifications for Flagler Reach I Dredging, the construction of which would be anticipated to begin in early 2019.

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

Ms. Shelley Trulock, the IWW Project Manager with the U.S. Army Corps of Engineers (USACE), stated that plans and specifications for the Atlantic Intracoastal Waterway (AIWW) Sawpit Reach III project in Nassau County are underway. There is \$2.2 million in the President's FY 2018 Budget that will be used for the plans, specifications and construction contract. An e-mail was received yesterday from the Florida Department of Environmental Protection's (FDEP) Park Department requesting a hard copy of the Park Agreement. A five-year Memorandum of Agreement (MOA) between the USACE and FDEP Parks Department has been initiated and will allow for placement of material on Amelia Island State Park. A Work Order will be presented at the June 2018 FIND Board meeting. An on-site meeting with the park management is scheduled for April 27th.

Ms. Trulock stated that plans and specifications for the Intracoastal Waterway (IWW), Volusia County will be combined with the Ponce Inlet dredging project into one contract action. The bid opening was held on February 13, 2018. Three (3) bids were received and there is an apparent low bidder. Evaluation of the bidder's proposal is underway. The USACE Hopper Dredge Murden is on site dredging an emergency shoal in the Ponce Inlet that could not wait for the contract award. Contract award may be in August 2018.

Ms. Trulock stated that construction is progressing on DMMA O-7, Martin County. The project is expected to be completed well before the contract required completion date of July 2018. A pre-final walk through that will include the USCAE, Taylor Engineering and FIND staff will be scheduled within the next 2-4 weeks.

Ms. Trulock stated that plans and specifications for DMMA O-23, Martin County were started in November 2017. Many issues with the site have been identified including

an existing stormwater treatment system located on the site. FIND and Taylor Engineering are meeting with the South Florida Water Management District (SFWMD) regarding the existing Environmental Resource Permit (ERP) and the USACE's proposed means to remediate the situation. Project timing is to be determined.

Ms. Trulock stated that the USACE Hopper Dredge Currituck will be brought back in June 2018 to dredge the Crossroads Reach and channel widener in Martin County. Taylor Engineering is obtaining the cultural investigations for the widener. After dredging of the widener is complete, the current plan is to have the USACE Hopper Dredge Murden return first quarter 2019 to perform maintenance dredging and re-dredge the widener, if hurricane funding is received.

Ms. Trulock stated that the IWW Broward Reach I dredging project will remove approximately 50,000 cubic yards of material from the channel. The material will be placed in MSA 641A. If the Town of Hillsboro Beach is interested in the material, they can obtain it from that location to put on their beaches, once their permit is in place.

Ms. Trulock stated that Hurricane Irma deposited material into the IWW channel in St. Augustine, Matanzas and Jupiter. The USACE is reaching out and opening discussions as to material placement. These three (3) projects should qualify for federal hurricane supplemental funding. These projects do not have a timeline at this time.

ITEM 10. Presentation and Review of the Economic Analysis Update of the Miami-Dade, Brevard and Flagler County Waterways and Approval of Economic Updates to Broward, Indian River, Volusia, and St. Johns Counties, Florida.

Ms. Valerie Seidel and Ms. Cortney Cortez from The Balmoral Group, LLC. provided a summary presentation of the Economic Analysis Update of Miami-Dade, Brevard and Flagler County waterways. She stated that input-output modeling looked at regional flows that exist within each community and the county and included: benefits from the District's ongoing waterway maintenance programs impact on the community, the public, marine businesses and recreational users of the District's twelve (12) member countries; the impact of direct spending by recreational boaters, tourist and residents has on local businesses and wage creation; the proximity impact that the Waterway has on real estate values and property taxes; and how maintenance of the waterways impact the Commercial Fishing industry. The presentation is available upon request.

Vice-Chair Donaldson suggested that the final report be sent to the Tourist Development Council.

Several commissioners indicated that they would like to provide comments before completion of the final report. Mr. Crosley requested that all comments be submitted to him by April 27, 2018.

Mr. Crosley presented the Work Order #3 proposal for economic updates for Broward, Indian River, Volusia and St. John's Counties.

Commissioner Sansom made a motion to approve the scope of work and fee quote in the amount of \$344,000 from The Balmoral Group to conduct Economic Updates to Broward, Indian River, Volusia and St. Johns Counties, Florida. The motion was seconded by Vice-Chair Donaldson. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 11. Scope of Professional Engineering and Permitting Services Intracoastal Waterway, Flagler Reach I Maintenance Dredging and Permitting Flagler County, Florida.

Mr. Crosley presented a scope of services and fee quote for engineering services from Taylor Engineering, Inc., for the maintenance dredging of Flagler Reach I, the northern portion of Flagler County. This section of the Intracoastal Waterway (IWW) has not been dredged in many years.

Treasurer Blow made a motion to approve the scope of work and fee quote in the amount of \$89,762.56 from Taylor Engineering for Engineering Services and Permitting of Flagler Dredging Reach I of the Intracoastal Waterway, Flagler County, Florida. The motion was seconded by Commissioner McCabe. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 12. Rybovich Peanut Island Lease Agreement Extension Peanut Island Dredged Material Management Area PB-PI, Palm Beach County, Florida.

Mr. Crosley stated that Rybovich Marina's (RBYC, LLC) existing lease agreement to utilize Dredged Material Management Area (DMMA) PB-PI (Peanut Island) expired at the end of March 2018. Staff recommends a two-year lease extension to the original agreement.

Commissioner Cuozzo made a motion to approve of a two-year lease agreement extension with Rybovich Marina for the use and removal of material at DMMA PB-PI (Peanut Island), Palm Beach County, Florida. The motion was seconded by Commissioner Sansom. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

Commissioner Isiminger stated that he would like the Board to discuss allowing local marine contractors to use District sites.

ITEM 13. Dredged Material Management Area V-26 Material Removal Agreement, Volusia County, Florida.

Mr. Crosley stated that Volusia County has requested a standing material removal agreement with the District for Dredged Material Management Area V-26. The one-year agreement would allow for removal of material in excess of 50,000 cubic yards. Staff and Attorney Breton are developing a non-exclusive agreement that has not been finalized. The county will notify the District prior to any activity.

Treasurer Blow made a motion to approve a one-year material removal agreement with Volusia County for DMMA V-26, Volusia County, Florida. The motion was seconded by Commissioner O'Steen. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 14. Miami Dade County Major Project Cost Modification Request: Matheson Marina Floating Dock Renovations Part 2 Waterways Assistance Program Project, Miami Dade County, Florida.

Ms. Zimmerman stated that Miami Dade County has submitted a request for a major project cost modification to their Matheson Marina Floating Dock Renovations Part 2 project because project bids have come in under budget. The overall District project cost share of this project will remain the same, as will the county's match.

Commissioner Crowley made a motion to approve a major project cost estimate modification request to Project Agreement No. DA-16-211, Matheson Marina Floating Dock Renovations Part 2 Project, Miami Dade County, Florida. The motion was seconded by Commissioner Sansom. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 15. Miami Dade County Major Project Cost Modification: Homestead Bayfront Marina Wetslip Waterways Assistance Program Project, Miami Dade County, Florida.

Ms. Zimmerman stated that Miami Dade County has submitted a request for a major project cost modification to their Homestead Bayfront Marina Wetslip project. The overall District project cost share of this project will remain the same, as will the County's match.

Commissioner Crowley made a motion to approve a major project cost estimate modification request to Project Agreement No. DA-15-193, Homestead Bayfront Marina Wetslip Project, Miami Dade County, Florida. The motion was seconded by Secretary Gernert. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 16. Finance and Budget Committee Report.

Commissioner McCabe made a motion to approve the recommendations of the District's Finance and Budget Committee of the February 2018 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 17. Washington D.C. Report

Mr. Crosley stated that Vice-Chair Donaldson, Commissioners Crowley, and Cuzzo were able to travel to Washington D.C. for the March 21 and 22, 2018 meetings.

Mr. Crosley stated that the President's Fiscal Year (FY) 2019 budget proposal for the U.S. Army Corps of Engineers was released. The budget proposal includes \$2.9 million for the Intracoastal Waterway (IWW) in Florida. The full report is included in the District's agenda at AICW.org.

Mr. Crosley stated that Jim Davenport has joined a new firm, Thorn Run Partners, LLC. The District's current agreement with Mr. Davenport's previous firm, Alcalde & Fay expires on October 31, 2018. To date, staff has worked almost exclusively with Mr. Davenport and are comfortable that he is familiar with the District's needs and legislative agendas. Mr. Davenport has performed in an exemplary manner for the District for over 12 years. He noted that the new firm is more diversified and there may be more opportunities available to the District.

Commissioner Sansom made a motion to approve a two-year agreement with Mr. Jim Davenport of Thorn Run Partners, LLC for federal professional legislative services. The motion was seconded by Commissioner Cuzzo. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 18-A. Approval of the Low-Bid for North Boundary Additional Fencing at Dredged Material Management Area IR-14, Indian River County, Florida.

Mr. Crosley stated that staff solicited and received three (3) bids for the establishment of a commercial-grade, vinyl coated fence along the north boundary of Dredged Material Management Area (DMMA) IR-14 in Indian River County.

Mr. Crosley stated that the apparent low bidder, David Barton Fence & Wall, LLC., has successfully completed numerous other District projects.

Commissioner Isiminger made a motion to approve the low bid in the amount of \$29,028.00 David Barton Fence & Wall, LLC., for a new fence along the north boundary of DMMA IR-14, Indian River County, Florida. The motion was seconded by Treasurer Blow. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

Commissioner Sansom suggested that a site informational sign be placed on the fence.

ITEM 18-B. Approval of the Low-Bid for Specialty Clearing Services Along Fence Lines at Eleven (11) District at Dredged Material Management Areas.

Mr. Crosley stated that Staff solicited and received three (3) bids for required specialized clearing, primarily along fence lines, at the following sites: DMMA's DU-2; DU-6; SJ-14; SJ-20; SJ-29, FL-8; BV-2C; BV-4B; IR-2; SL-2 and Material Storage Area (MSA) 641A. Once the specialty clearing has been completed, the areas will be included in the District's maintenance program.

Mr. Crosley stated that the apparent low bidder, A Quality Bushog Service, Inc., has successfully completed numerous other District projects and is currently the District's mowing contractor for most of the listed sites.

Commissioner McCabe made a motion to approve the low bid in the amount of \$45,000.00 from A Quality Bushog Services, Inc., LLC., for specialty clearing at eleven

(11) District sites. The motion was seconded by Vice-Chair Donaldson. Chair Netts asked for discussion. Hearing none, a vote was taken, and the motion passed unanimously.

ITEM 18-C. Waterway Assistance Program Project Review: Miami Marine Stadium Basin.

Commissioner Crowley stated that he would like to discuss this item to determine if the direction he is heading with this project is in agreement with the Board. He referenced the information provided in the District agenda. FIND has contributed a total of \$3,106,687.50 in funding to eleven (11) projects in the Miami Marine Stadium Basin through the Waterways Assistance Program (WAP). In addition, the City has submitted a 2018 WAP request for the Virginia Key Boat Ramp PH II at Miami Marine Stadium in the amount of \$1,250,000.

Commissioner Crowley stated that FIND funded a Waterways Assistance Program (WAP) Phase I, design and permitting grant to construct a mooring field in the Miami Marine Stadium Basin. The city prepared a WAP application for the mooring field construction and after opposition from the local Rowing Club, the city pulled their 2018 WAP application. The Rowing Club is against the project and is going to work legislatively with an initiative and special amendment to cut-off public access to the basin, restricting motorized vessel access and anchorage. One of the ways to effectively regulate the waterway is through a managed mooring field. The mooring field design was a large circle with a wide perimeter for non-motorized boating. The Rowing Club is arguing that the mooring field will destroy the environment. It has been well documented that a regulated mooring field provides a more pristine environment. If these restrictions are enacted, it will significantly restrict the ability of the District to help fund waterway access projects in this section of the waterway. He is going to follow this action and will keep the Board informed.

Commissioner McCabe asked if the city plans withdraw their mooring field WAP application and move forward with the WAP Boat Ramp application. Commissioner Crowley answered yes and stated that the new boat ramp will replace a deteriorated existing boat ramp in the basin area.

Treasurer Blow stated that this District has provided \$3.1 million towards WAP projects on Virginia Key and the Miami Marina Stadium areas. If he would have been informed that there were any future plans to restrict motorized boater access to this area,

he would have not supported those projects. He noted that paddle boards are not registered vessels. Once a paddle board is purchased, no additional money is spent for repairs, gasoline or registration fees. If the citizens and the community move forward with this motorized vessel restriction, FIND should no longer support any WAP application projects for the redevelopment of the Miami Marine Stadium. Also, all previous funding provided for projects in the Marine Stadium Basin may have to be returned to the District.

Treasurer Blow stated that the City of St. Augustine has been involved in the Florida Fish and Wildlife Conservation Commission (FWC) pilot anchoring program. A total of six (6) state-wide areas took part in the program. The results of that program provided the FWC with information to develop a mooring field ordinance. Unfortunately, the FWC has not moved forward with the ordinance state-wide. He noted that Broward and Miami-Dade Counties pursued their own anchoring legislation, which was unfortunate.

Treasurer Blow stated that he agrees that the District should monitor the activity and movement of this item in Tallahassee.

Mr. Crosley stated asked if it would be appropriate for the District to send a letter to the grant Project Managers that would be impacted by this activity.

Chair Netts stated that the District should not manage the city's decision for their community, they should do what they feel is best for their community. They should be made aware that their decision may impact past and future projects with FIND.

ITEM 18. Additional Staff Comments and Additional Agenda Items.

Mr. Crosley stated that the District FY 2016-2017 Audit will be presented at the May 19, 2018 Miami-Dade County meeting.

Mr. Crosley stated that the new Officer appointments will be made at the May meeting. Any commissioner that would like to become a candidate should contact him.

Mr. Crosley stated that Brevard County has advertised a Request for Proposals (RFP) for dredging the of the Grand Canal and Banana River. The contractor has requested the use of DMMA BV-11 and the county has offered to build the site. Taylor Engineering, Inc. is working on the Plans and Specifications for that project and the request should be brought by the Board at the September 2018 meeting.

Ms. Zimmerman stated that she has provided a list of the FY 2018-2019 WAP applications. Technical Sufficiency items are due back to her by May 25, 2018. She asked any commissioners with questions to contact her.

ITEM 19. Additional Commissioner Comments.

Chair Netts stated tht he received an e-mail from Tamme Flood regarding the Spring Garden Historic District Point Park that currently has a WAP grant for a seawall and kayak launch. Her argument is that the kayak launch was included in the grant because it generated more points for the potential funding award and that is the only reason the kayak launch was added to the project. She is requesting a modification to the grant for the seawall only. She provided a list of reasons why this boat launch is a bad idea.

Mr. Crosley noted that this project was reviewed by the District staff and Board. Her issue is with the city and not the funding agency. The city has not made a project modification request.

Commissioner Crowley stated that he has received letters supporting the kayak launch from the Spring Garden Association and the Trust for Public Land. These letters of support are why the city purchased the land from the developer for this project. Some homeowners near the Spring Garden Historic District Garden Park do not support the project because it will allow people from other areas of Miami to use the park and kayak launch. The city may request to remove the kayak launch from the project and just build the seawall. He will not support that request and would request that the Board to not fund the seawall.

Treasurer Blow stated that he supports Commissioner Crowley in this issue.

Treasurer Blow thanked Chair Netts for last evening's Community Outreach event.

Commissioner Crowley noted that the City of Miami was planning to issue a lease for a private restaurant for use of 60% of the Lummus Park Dock. This was a WAP funded project. He stated that he worked with Attorney Breton and the FIND staff to send a letter regarding that private lease and the city pulled the item from their agenda and did not move forward with the lease.

Commissioner Sansom stated that FIND is preparing for the construction of DMMA-BV-24A. He noted that some citizens have concerns about the project and FIND will discuss the project at a public meeting and with the City Council in May 2018.

Commissioner McCabe referenced the Economic study and noted that the benefit and impact language should be consistent. The paper is titled Economic Benefits but, the numbers are “impact.” The report should provide more precision.

ITEM 20. Adjournment.

Chair Netts stated that hearing no further business, the meeting was adjourned at 11:51 a.m.