

**MINUTES OF THE
FLORIDA INLAND NAVIGATION DISTRICT**

Board of Commissioners Meeting

9:00 a.m., Friday, April 21, 2017

The Hilton Garden Inn

55 Town Center Boulevard

City of Palm Coast, Flagler County, Florida 32164-2387

ITEM 1. Call to Order.

Vice-Chair Netts called the meeting to order at 9:04 a.m.

ITEM 2. Pledge of Allegiance.

Vice-Chair Netts led the Pledge of Allegiance to the Flag of the United States of America.

ITEM 3. Roll Call.

Secretary Donaldson called the roll and Vice-Chair Netts, Treasurer McCabe, and Commissioners Gernert, O'Steen, Sansom and Williams were present. Chair Cuzzo, Commissioner Blow and Commissioner Crowley were absent. Secretary Donaldson stated that a quorum was present. Commissioner Isiminger arrived at 9:24 a.m.

Mr. Crosley introduced and welcomed the newly appointed Broward County Commissioner Frank Gernert.

ITEM 4. Consent Agenda.

Vice-Chair Netts asked if there were any comments or questions regarding the Consent Agenda.

Commissioner Sansom suggested that a provision addressing waving of landfill disposal fees for derelict vessels be added to the District's Assistance Program rule.

Secretary Donaldson stated that most Counties use private landfills and their covenants do not allow management the authority to wave those fees. He noted that it is more important to get the derelict vessels removed and disposed of in a landfill and not left in the waterway.

Commissioner Sansom made a motion to approve the Consent Agenda as presented. The motion was seconded by Commissioner O'Steen. Vice-Chair Netts asked for discussion. Hearing none, a vote was taken and the motion passed unanimously.

ITEM 5. Additions or Deletions.

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

Mr. Crosley stated that there are no additions or deletions to the meeting agenda. He stated that additional information has been distributed for: Item 11, Bid Approval to Engage the Services of a Marine Environmental Consultant for a Post-Construction Benthic Resource Survey of the Intracoastal Waterway near the Vicinity of Jupiter Inlet, Palm Beach County, Florida; an information sheet about the District's FY 2016-2017 Assistance Program Applications; and a letter regarding the Bridge of Lions in St. Augustine, Florida, which will be discussed under Staff Comments.

Secretary Donaldson made a motion to approve the final agenda as presented. The motion was seconded by Treasurer McCabe. Vice-Chair Netts asked for discussion. Hearing none, a vote was taken and the motion passed unanimously.

ITEM 6. Public Comments.

Vice-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.

Vice-Chair Netts asked if there were any comments or questions regarding the February 18, 2017 Finance & Budget Committee and Board Meeting Minutes.

Commissioner Williams referred to Item 7 of the February 18, 2017 Board Meeting Minutes and stated that the correction should read "Ms." Pfaff not Mr. Pfaff.

Commissioner Williams made motion to approve the February 18, 2017 Finance & Budget Committee and Board Meeting Minutes as amended. The motion was seconded by Commissioner Isiminger. Vice-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 the 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 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. Plans, specifications and permitting for DMMA FL-3 were completed in 2013. Construction of this site was completed in 2015 and the site is ready to receive material from dredging Reach II in 2018.

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 dredged material was placed on the beach at Summerhaven.

Mr. Crosley stated that the Flagler County Waterways Economic Study is currently being updated.

Mr. Crosley stated that notable Waterway Assistance Program projects include: Bings Landing, Moody, Grand Haven South and North Park boat ramps, Marineland Marina and Flagship Harbor Preserve. The District's Interlocal Agreement Program has provided funding to Flagler County projects in the amount of \$25,000. The District has consistently partnered with the City of Palm Coast for many years on waterway cleanup projects in Flagler County, in the amount of \$5,000 per year. The District's Small-Scale Derelict Vessel Removal Program has contributed \$6,503.00 in funding to Flagler County.

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

Ms. Lacy Pfaff, the Interim Intracoastal Waterway (IWW) Project Manager with the U.S. Army Corps of Engineers (USACE), stated that Plan and Specifications for the IWW Sawpit project in Nassau County will kick off in summer of 2017. The USACE anticipates receiving funding in FY 2018 either from Federal allocation or through FIND,

Ms. Pfaff stated that \$2.6 million of Work Plan funding will go towards the St. Augustine and Matanzas IWW dredging projects. The contract was awarded to Weeks Marine on September 30, 2016 and the Notice to Proceed was issued on November 2, 2016. Construction will commence on September 7, 2017. For the St. Augustine project, because of damages incurred in the Vilano/South Ponte Vedra beach area from Hurricane Matthew, FIND has requested that the USACE investigate the cost of changing the placement area of the St. Augustine Dredging Reach to the beach north of the inlet, in lieu of placing material on the State Park south of the Inlet. This required a FDEP permit modification. 150 residential easements were executed, with one holdout, for this project change. Mobilization started on April 3, 2017 and dredging started on April 13, 2017. The contractor worked around the resident that did not execute an easement.

Ms. Pfaff stated that St. Johns County has requested a change to the IWW Matanzas project by placing sand at a higher elevation where old AIA was washed away by Hurricane Matthew. This required a modification to the contract and a minor modification to the FDEP permit. The modifications were combined and awarded for \$25,000.00. Dredging was completed last week.

Ms. Pfaff stated that the USACE has received \$5,500,000.00 in supplemental Federal funding to complete the dredging of the IWW near Ponce Inlet in Volusia County. The USACE is exploring combining the project with the Ponce Inlet dredging program to save on mobilization. The most recent permit allows for upland and nearshore disposal only. The contract will be advertised October 18, 2017.

Commissioner Sansom suggested that the District work with the State of Florida Legislature and the Department of Environmental Protection Beaches and Coastal Systems to provide dredged material for beach placement.

Mr. Jim Marino, with Taylor Engineering, stated that Volusia County has authorized the development of a new Beach Management Plan integrating all relevant information.

Secretary Donaldson stated that FIND can apply to the State of Florida for Beach Funding for inlet material deposition.

Ms. Pfaff stated that Plans and Specifications for the construction of Dredged Material Management Area (DMMA) O-7, Martin County, have been funded with Federal funding and construction will be funded by FIND. The construction contract was awarded to Cody Construction with a required completion date of July 14, 2018.

Ms. Pfaff stated that the Plans and Specifications for construction of DMMA O-23 began in January 2017. NEPA activities were started and are extensive. An FDEP exemption will be obtained since this project is upland construction. Project design concepts will be the same as DMMA O-7. She anticipates awarding the contract in Spring of 2018.

Ms. Pfaff stated that approximately 34,000 cubic yards of problematic shoaling within the Crossroads reach of the IWW was removed by the Corps hopper dredge Currituck. The dredging started on March 1 and was completed on March 22, 2017. The dredged material was placed in the St. Lucie Inlet Impoundment Basin. The USACE dredge will return to complete the advanced maintenance widener project in September 2017.

Ms. Pfaff stated that the USACE is moving forward with permitting the IWW Broward Reach I Dredging Project. The current path forward is to dredge with a Wilmington District hopper dredge, unless it is determined that the quantity is large enough to justify standard procurement. Discussions with the Hillsboro Inlet Chairman, Mr. Jack Holland, led to the suggestion that the USACE should consider placing the dredged material within the existing Hillsboro Inlet settling basin, a permanent sand transfer station. This would alleviate the need to obtain National Environmental Policy Act (NEPA) approval on a new nearshore placement area. The Hillsboro Inlet dredge would then move the material to the beach south of the inlet. To do this, the USACE would still need a Florida Department of Environmental Protection (FDEP) permit and possible NEPA coordination, since IWW material has never been placed in this disposal location. These changes will push this project out one additional year.

Ms. Pfaff stated that the USACE utilized \$400,000.00 in Hurricane Matthew Supplemental funding to remove 8,100 cubic yards of shoal at Bakers Haulover in March 2017. Disposal will be in the extreme nearshore at Bal Harbor Beach. A future project will be scheduled for September 2017 to remove an additional 25,000 cubic yards of material. The team is exploring whether to utilize a USACE dredge or go industry.

Mr. Crosley noted that the three recent FIND dredging projects were all going on at the same time and he does not believe that has happen before with District projects.

Secretary Donaldson stated that is significant and represents the USACE Jacksonville District's relationship with the USACE Southeastern Atlantic Division.

Ms. Pfaff stated that she has been filling in for Ms. Trulock as the FIND project manager and this may be her last FIND meeting. She stated that Ms. Trulock will be returning as the District's USACE Project Manager.

Commissioner Sansom thanked Ms. Pfaff for doing an excellent job for FIND.

ITEM. 10. St. Lucie Reach I Intracoastal Waterway Maintenance Dredging Project with Update, St. Lucie County, Florida.

Mr. Crosley stated that the St. Lucie Reach I Intracoastal Waterway Maintenance Dredging revised project was bid and two bids were received. Cavache, Inc was the low qualified bidder and the Notice to Proceed was issued on March 30, 2017.

Mr. Bill Alley, with Taylor Engineering briefly reviewed the 2.6-mile project scope with 4.5-miles of beach placement. The contractor is fully mobilized and will be dredging double-shifts for 24 hours straight. The project must be completed by May 31st, in time for turtle nesting season.

Mr. Alley stated that the pre-project survey is showing additional shoaling in the amount of 30,000 cubic yards when compared to the previous 2014 project survey. A total of 98,000 cubic yards of material will be removed. This additional shoaling coincides with the marina and breakwater structures that were recently constructed.

Commissioner Sansom asked if there is anything else that could have contributed to this additional shoaling. Secretary Donaldson stated that there was a vegetated island east of this inlet that washed away during Hurricane's Jean and Frances. This altered sediments in the area. Mr. Crosley also noted last year's Hurricane Matthew could have impacted the area.

Mr. Crosley stated that the permit conditions for the Fort Pierce Marina shore protection features specifically state that the protection system would not adversely affect

shoaling rates and navigation. Post dredging project monitoring will determine if the structures are affecting the shoaling.

Mr. Alley stated that there is shoaling just north of the south bridge and the County is requesting that the project include that shoaling. Therefore, an extension may be necessary.

Secretary Donaldson stated that it would ideal if the shoal north of the south bridge could be removed. If the project time-line needs to be extended, that should be considered. Mr. Alley stated that the contractor will work to remove that shoal and feels that the time may not need to be extended.

Ms. Tori White, Deputy, Regulatory Division, with the U.S. Army Corps of Engineers (USACE), stated that the City of Fort Pierce Marina was destroyed by Hurricane's Jean and Frances. The new marina and the marina protection system, geotech islands, were permitted with conditions. The geotech islands were designed and constructed on the flood shoal. The USACE had/has concerns because the Inlet flood shoal is a dynamic area, and the facility could change those dynamics. It is believed that the City underestimated the amount of impact this project would have on this area. The permit was issued with conditions requiring the City to perform bathymetric surveys of this area and to implement corrective measures and remove any shoaling caused from or by this project. Comparing current surveys to pre-project surveys shows that this area has not previously had a history of shoaling and current shoaling at the Islands is moving into the channel. These shoaling rates are about 5-8 feet above mean-low-water. The City is required to take corrective measures and the USACE will be pursuing discussions with the City regarding permit compliance.

Secretary Donaldson stated that he would like to review the information on this project and discuss this with the Executive Director and the District's Engineer before the Board takes any action on this subject.

Commissioner Sansom stated that it is important to work with the City of Fort Pierce and suggested that the additional cost to dredge this shoaling be identified.

Commissioner Isiminger asked if the Fort Pierce Inlet has an Inlet Management Plan.

Secretary Donaldson stated that the City is updating their Inlet Management Plan and they are considering constructing an impoundment basin.

ITEM 11. Bid Approval to Engage the Services of a Marine Environmental Consultant for a Post-Construction Benthic Resource Survey of the Intracoastal Waterway near the Vicinity of Jupiter Inlet, Palm Beach County, Florida.

Mr. Crosley stated that maintenance dredging of a portion of the Intracoastal Waterway (IWW) near the Jupiter Inlet was recently completed.

Commissioner Isiminger made motion to approve the low qualified bidder, Pinnacle Ecological to conduct a post-construction benthic resources survey of the IWW in the vicinity of Jupiter Inlet, Palm Beach County, Florida. The motion was seconded by Commissioner Sansom. Vice-Chair Netts asked for discussion. Hearing none, a vote was taken and the motion passed unanimously.

ITEM 12. Approval of Change Order #11, Broward Intracoastal Waterway Deepening Project, Broward County, Florida.

Mr. Crosley stated that the Broward Intracoastal Waterway (IWW) Deepening Project is complete. He presented Change Order #11 which involves a small change to the amount of debris encountered while dredging the Broward IWW Deepening Project.

Commissioner Gernert made motion to approve Change Order #11 in the amount of \$3,880.25 for additional debris removal, Broward IWW Deepening Project, Broward County, Florida. The motion was seconded by Treasurer McCabe. Vice-Chair Netts asked for discussion. Hearing none, a vote was taken and the motion passed unanimously.

ITEM 13. Scope of Work and Fee Quote for Engineering Design and Contract Documents for Weir Replacement at Dredged Material Management Area BV-52, Brevard County, Florida.

Mr. Crosley stated that Taylor Engineering has provided a scope of work and fee quote for engineering, design and contracting to replace the 1998 corrugated metal weir at Dredged Material Management Area (DMMA) BV-52, Brevard County, Florida.

Commissioner Sansom made motion to approve the proposal and fee quote from Taylor Engineering in the amount of \$52,555.00 for engineering design and contract documents for weir replacement at DMMA BV-52, Brevard County, Florida. The motion was seconded by Commissioner O'Steen. Vice-Chair Netts asked for discussion. Hearing none, a vote was taken and the motion passed unanimously.

ITEM 14. Approval to Engage a Risk Management and Insurance Analysis Expert.

Mr. Crosley stated that staff worked with the District's attorney to develop a Request for Proposals (RFP) to engage a consultant to analyze and quantify the risks inherent in the District's contractual relationships, to set appropriate standards for insurance clauses in FIND contracts, and to evaluate the insurance policies, endorsements and riders provided by FIND's contractors.

Mr. Crosley stated that on March 15, 2017, the District received three (3) qualified responses to the RFP. Staff is requesting the Board approve the entire RFP rankings.

Commissioner Williams asked about the District self-insuring.

Vice-Chair Netts suggested the District purchase Liability Insurance up to a certain level and then self-insure.

Treasurer McCabe stated that these are great suggestions and should be discussed with Attorney Breton.

Commissioner Isiminger made motion to approve the RFP rankings and cost proposal not to exceed \$12,000.00, and a three (3) year continuing services contract, to conduct an initial Risk Management and Insurance Analysis for the District. The motion was seconded by Commissioner Williams. Vice-Chair Netts asked for discussion. Hearing none, a vote was taken and the motion passed unanimously.

ITEM 15. Scope of Services and Fee Proposal for Updates to the District's GIS Mapping Database System for Volusia, Brevard, Indian River, St. Lucie, Martin, Broward and Miami-Dade Counties.

Mr. Crosley presented the work order to approve Taylor Engineering's GIS update to Volusia, Brevard, Indian River, St. Lucie, Martin, Broward and Miami-Dade Counties,

Commissioner Williams made motion to approve a proposal and fee quote from Taylor Engineering in the amount of \$79,696.00 for the GIS update to Volusia, Brevard, Indian River, St. Lucie, Martin, Broward and Miami-Dade Counties, FL. The motion was seconded by Secretary Donaldson. Vice-Chair Netts asked for discussion. Hearing none, a vote was taken and the motion passed unanimously.

ITEM 16. DMMA DU-2 Weir Reconstruction, Duval County, Florida.

Mr. Crosley stated that this item has been resolved and he would like to remove this item from the Agenda. The Board concurred.

ITEM 17. Tallahassee Report.

Commissioner Sansom stated that SB 1599 and HB 1213, Coastal Management, addresses beach management and restoration and provides \$50 million dollars for beach restoration.

Commissioner Sansom stated that the 2017 Legislative session will conclude on May 5, 2017. HB 7043 and SB 1338, Vessels, address derelict vessels, details conditions that suggest a vessel is derelict, and provides that a vessel cannot anchor within 100 feet of a managed mooring field. The House bill restricts mooring in certain areas and provides that a vessel moored in certain areas for more than 10 days must provide proof that the vessel has on board, or has made arrangements for, appropriate sewage treatment.

Commissioner Sansom stated that HB 7021, Local Government Ethics Reform, will require Board members of special districts complete four (4) hours of ethics training annually.

Commissioner Sansom stated that Senate confirmation for Commissioner appointments will come next session.

ITEM 18. Washington D.C. Report.

Mr. Crosley stated that with limited time before the current Continuing Resolution (CR) expires on April 28, 2017, and with Congress in recess from April 10-21, congressional appropriators are working hurriedly to wrap up Fiscal Year (FY) 2017 appropriations bills. Because of the CR, the USACE's FY 2017 Work Plan will likely be delayed until spring.

Mr. Crosley stated that Mr. Davenport worked with Representative Frankel and ten (10) members of FIND's Congressional Delegation to write a letter to the USACE seeking

FY 2018 funds. Mr. Davenport has been coordinating with members of the Atlantic Intracoastal Waterway Association (AIWA) to obtain their signatures and support on request letter.

Mr. Crosley stated that Mr. Davenport will continue working with FIND's Congressional Delegation and the USACE between now and the release of the Work Plan for IWW funding.

ITEM 19. Finance and Budget Committee Report.

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

Treasurer McCabe made a motion to approve Resolution No. 2017-01 for Budget Amendment No. 1 to the FY 2016-2017 Budget. The motion was seconded by Secretary Donaldson. Vice-Chair Netts asked for any additional discussion. Hearing none, a vote was taken and the motion passed.

ITEM 20. Additional Staff Comments and Additional Agenda Items.

Ms. Zimmerman stated that the U. S. Coast Guard has published a Public Notice regarding the Bridge of Lions openings and closing schedule. The notice is open for public comment until May 15, 2017. Chair Blow and Mr. Crosley, on behalf of FIND have both sent letters commenting on the proposed closings. The commissioners briefly discussed the issue and recommended that Mr. Crosley, on behalf of FIND, combine Chair Blow's letter and his letter and send it to the City of St. Augustine and the Florida Department of

Transportation (FDOT). She asked commissioners to go on line, www.regulations.gov, and express their concern for navigation safety.

Commissioner Sansom made a motion for Mr. Crosley to develop another letter regarding the District's objections to the proposed Bridge of Lions closing, incorporating Chair Blow's comments and send it to the U. S. Coast Guard with a copy to the City of St. Augustine and the Florida Department of Transportation (FDOT). The motion was seconded by Commissioner Isiminger. Vice-Chair Netts asked for discussion. Hearing none, a vote was taken and the motion passed unanimously.

Ms. Zimmerman stated that the District has received 76 Waterway and Cooperative Assistance Program applications. Technical Sufficiency letters have been sent with a deadline of May 26, 2017 for compliance. Permit deadline for this year will be September 20, 2017.

ITEM 21. Additional Commissioners Comments.

Treasurer McCabe noted that last evening's Community Outreach Event was well-attended and very nice.

Commissioner Williams suggested a review of the Assistance Program funding rule be discussed for a revision to shift additional funding to the smaller counties.

Mr. Crosley stated that he will review the statue and will make a presentation at the May meeting.

ITEM 22. Adjournment.

Vice-Chair Netts stated that hearing no further business the meeting was adjourned at 11:36 a.m.