

RESOLUTION 2020 – 318

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR OR DESIGNEE TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE ST. AUGUSTINE PORT, WATERWAYS AND BEACHES DISTRICT FOR A \$60,000 GRANT MATCH TO THE FLORIDA INLAND NAVIGATION DISTRICT (FIND) WATERWAYS ASSISTANCE PROGRAM GRANT FOR THE VILANO LANDING DREDGE PROJECT.

WHEREAS, after submitting the Florida Inland Navigational District (FIND) Dredge Grant application, Staff was notified that the project qualified for a 50/50 fund match, not a 75/25 fund match because the proposed dredge was associated with a boat ramp; and

WHEREAS, the County has determined that the modification of the award by the Florida Inland Navigation District (FIND) Waterways Assistance Program Grant for funding for the dredging project at Vilano Landing serves the overall interests of the County; and

WHEREAS, with Board approval, staff requested and was granted funding through the St. Augustine Port, Waterways and Beach District to assist with the additional 25% match for the Vilano Landing Dredge project; and

WHEREAS, the revised grant has been submitted in compliance with a 50/50 match and will be considered for funding, and

WHEREAS, the St. Augustine Port, Waterways and Beach District requests to enter into an Interlocal Agreement with the County for the agreed upon terms of Vilano Dredge Project grant match; and

WHEREAS, the dredging project is estimated to cost \$240,000 with \$60,000 funding from the County's surplus funds and \$60,000 from the St. Augustine Port, Waterways and Beach District. The remaining \$180,000 would be reimbursed through FIND.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners of St. Johns County, Florida that:

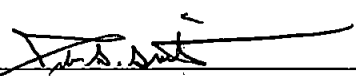
Section 1. The above Recitals are incorporated by reference into the body of this Resolution, and such Recitals are adopted as Findings of Fact.

Section 2. The Board of County Commissioners hereby approves and authorizes the County Administrator, or designee, to enter into an Interlocal Agreement with the St. Augustine Port, Waterways and Beach District for a grant match for the Vilano Landing Dredging Project.

Section 3. The Board of County Commissioners hereby authorizes the County Administrator, or designee, to execute any other paperwork necessary, and/or associated with the application for a Florida Inland Navigation District Waterways Assistance Program Grant for the dredging of Vilano Landing.

PASSED AND ADOPTED, this 18 day of August, 2020.

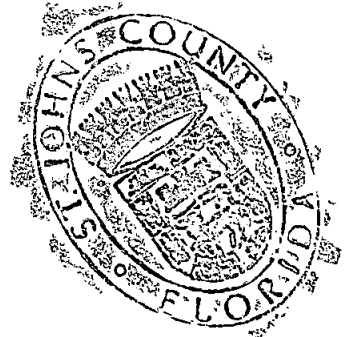
**BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA.**


By: Jeb S. Smith, Chair

ATTEST: Brandon J. Patty, Clerk
Clerk of the Circuit Court & Comptroller

By: 
Deputy Clerk

RENDITION DATE 8/20/20



INTERLOCAL AGREEMENT
TO PROVIDE FOR FUNDING FOR
LAUNCHING AND LANDING FACILITIES
IN ST. JOHNS COUNTY

This Agreement is made and entered into by and between the **ST. AUGUSTINE PORT, WATERWAY AND BEACH DISTRICT**, a special district organized under the laws of the State of Florida (hereinafter referred to as "District"), and St. Johns County, a municipal corporation organized and existing under the laws of the State of Florida (hereinafter referred to as "COUNTY"):

WHEREAS, the COUNTY, in order to enhance the usefulness of the waterways within the COUNTY and to improve boating safety, is engaged in the maintenance of launching and landing facilities of the COUNTY; and

WHEREAS, the COUNTY finds that procurement of services for enhancing landing and launching facilities located on the COUNTY'S waterways furthers the health, safety and welfare of the public; and

WHEREAS, the DISTRICT has a legitimate governmental interest in enhancing public safety by providing financial support to COUNTY for such purposes; and

WHEREAS, the COUNTY provides staff fully capable of procuring and supervising dredging services but lacks adequate available funding to do so; and

WHEREAS, the COUNTY and the DISTRICT find that the launching and landing facilities require maintenance and renovations; and

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

1. This Agreement is entered into pursuant to the Florida Interlocal Cooperation Act of 1969, Section 163.01, *et seq.*, Florida Statutes (hereinafter referred to as the "Act"), and pursuant to powers granted by law to the COUNTY and to the DISTRICT.
2. In order to provide for the enhancements of Vilano Landing, the DISTRICT shall appropriate a sum not to exceed SIXTY THOUSAND DOLLARS AND NO/100 (\$60,000.00) for the purpose of funding the procurement of project. The DISTRICT shall pay to COUNTY, upon invoice rendered, the sum not in excess of SIXTY THOUSAND DOLLARS AND NO/100 (\$60,000.00) no later than sixty (60) days after the project is completed. Said funds shall be used to fund the dredging project as described herein.
3. The COUNTY shall match the funding of SIXTY THOUSAND DOLLARS AND NO/100 (\$60,000.00), the project described herein.
4. The COUNTY shall undertake the full responsibility to acquire such permits as may be required for the project and will pay the costs of procuring such permits solely from the funds provided by the DISTRICT pursuant to this Agreement.
5. The COUNTY agrees to provide such assistance and cooperation as may be required for procurement of the necessary permits issued by any local, state or federal agency exercising jurisdiction over the dredging project and any required information necessary to complete reports as mandated by any local, state or federal agency.

6. The COUNTY shall undertake all responsibility to request and approve bids and contracts for the project and will provide to the DISTRICT such documentation as requested by the DISTRICT.

7. This agreement shall be effective upon the date of its full execution. Either party may terminate this Agreement upon thirty (30) days written notice.

8. This agreement is governed by the laws of the State of Florida. Any suit, action, or proceeding arising in connection with this agreement shall be brought in St. John County.

9. A certified copy of this Agreement shall be filed by the COUNTY Clerk with the Clerk of the Circuit Court of St. Johns County, Florida, as required by statute.

*****This Portion Intentionally Left Blank*****

IN WITNESS WHEREOF, the parties have caused these presents to be executed by their duly authorized officials on the dates set forth below.

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ST. AUGUSTINE PORT,
WATERWAY AND BEACH
DISTRICT

ATTEST:

By: _____

Printed Name: _____

Barry Benjamin, Chair

Title: _____

Date: _____

(SEAL)

ST. JOHNS COUNTY BOARD OF
COUNTY COMMISSIONERS

ATTEST:

Brandon J. Patty, Clerk of Court

By: _____

Jeb S. Smith, Chair

Date: _____

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Regina Ross, Deputy County Attorney

Attorney for District

ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT
MINUTES OF REGULAR MEETING
Tuesday, May 19, 2020

The regular meeting of the St. Augustine Port, Waterway & Beach District was held at the St. Augustine Beach City Commission Meeting Room, 2200 A1A South, St. Augustine Beach, Florida, on Tuesday, May 19, 2020.

1. **CALL TO ORDER**

Chairman Barry Benjamin called the meeting to order at 3:00 PM.

2. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the flag of the United States of America followed.

3. **ROLL CALL**

Chairman Barry Benjamin, Commissioners Matt Brown, Sandy Flowers and Chris Way were in attendance. Vice-Chairman Tom Rivers was absent. The meeting was also attended by Ken Craig of Taylor Engineering, District Counsel Jim Bedsole and Secretary-Treasurer Elyse Kemper.

4. **ADOPTION OF AGENDA**

A motion by Chairman Benjamin to approve the agenda as prepared by Secretary Kemper was seconded by Commissioner Brown and unanimously approved.

5. **PUBLIC COMMENT** NONE

6. **GOVERNMENT REPRESENTATIVE COMMENTS**

Sidney Lindblad, St. Johns County Beach Services, reported the county pier has re-opened after repairs and admission will be free this week. Beaches are fully re-opened and are experiencing historic levels of attendance.

Jim Piggott, Director of General Services for the City of St. Augustine, informed the board of two new derelict vessels, one of which will require the services of a diver to remove. He said the total cost of \$4,205.48 was supposed to be partially offset by assistance from FWC, but payment will take several months. In the meantime, he requested the board approve and provide the expense.

A motion by Commissioner Flowers to approve giving the City of St. Augustine \$4,205.48. 00 from the District's derelict boat fund for the removal of two derelict vessels was seconded by Commissioner Way and passed unanimously.

Mr. Piggott thanked the board for its prompt assistance and said the city would like to see the up-coming District budget contain the same line items of \$25,000 for derelict vessel removals and \$8,000 for city police marine overtime.

Lt. Steve Zukowski, FWC, thanked the board for assisting with the rebuild of his agency's boat lift and remarked that FWC funding of such items is always slow. He reported regulatory buoys are missing from local bridges and that all of the aids to navigation buoys in St. Augustine Inlet are off station. He said the USCG has jurisdiction over the buoys in St. Augustine Inlet and that the inlet is considered recreational and is a low priority for the Coast Guard. He also reported FWC officers recently arrested a boater for operating his vessel while under the influence and resisting arrest without violence after he hit another vessel and fled the scene. In response to questions from Commissioner Flowers, Lt. Zukowski said residents of Summer Haven would need FWC authorization to erect "no-wake" signs along the Summer Haven River.

7. SECRETARY-TREASURER'S REPORT

Secretary-Treasurer Kemper delivered the financial report. As of April 30, 2020, the District had spent \$111,901 on projects and operating expenses in this fiscal year, and has \$2,613,561 on deposit. As of that date, the District had received \$546,216 in tax revenue since the beginning of the fiscal year with \$24,418 more expected.

8. APPROVAL OF MINUTES

A motion by Commissioner Brown to approve the minutes of the regular meeting of February 18, 2020, was seconded by Chairman Benjamin and passed unanimously.

9. ENGINEERING REPORT

Ken Craig delivered the report on behalf of Taylor Engineering. He began by reporting the piling and marker on the beach in Salt Run have been disposed of and a new marker installed at a cost of \$9,500. In response to questions from Commissioner Flowers and Commissioner Way, Mr. Craig said he would solicit quotes for the installation of marker lights for the jetties at the seaward end of the channel to the Vilano Boat Ramp. He said the cost could be as much as twenty thousand dollars.

He then presented a renewed contract document for Taylor's engineering services contract with the District. Commissioner Flowers suggested the contract term should not exceed two years and Commissioner Brown requested a small change in a notice provision benefitting the District. Mr. Craig said he and the District's attorney would make the changes and present the contract for approval at the next meeting.

Commissioners Flowers and Way objected to the price of \$9,500 paid to replace the marker and piling in Salt Run. Commissioner Way suggested Taylor might attempt to negotiate a set replacement price with a vendor because pilings are damaged so frequently.

10. NEW BUSINESS

A. Funding Request - City of St. Augustine Fire Department

Jim Piggott, General Services Director for the city, and Chris Paçetti, Operations Chief for the fire department, appeared before the board and requested a commitment from the board for a grant of up to \$30,000 for the purchase of enhanced Raymarine and FLIR navigation and night vision systems for the city's fire boat. Chief Paçetti explained the new system will give the crew the ability to receive directly and instantaneously Coast Guard search grids and location data. This kind of information is detailed and very subject to human error when transmitted by voice or keypad. The new system will eliminate such errors and will enable detailed night vision from the fire boat, thereby enhancing the department's rescue abilities.

A motion by Commissioner Flowers to approve the expense of up to \$30,000 for upgrades to the City of St. Augustine's marine information and navigation systems to interface with the Coast Guard was seconded by Commissioner Brown and unanimously approved.

B. Grant Request - St. Johns County Beach Services.

Sydney Lindblad, St. Johns County Parks and Recreation, reported the county is applying for a grant of \$180,000 from FIND to dredge the Vilano Boat Ramp channel and requested the board consider providing match funds for the grant. FIND Commissioner Carl Blow commented that, if approved, the work could be funded by FIND on a 50/50 basis with local match funds. However, St. Johns County can not meet the match requirement if the grant is approved. In response to questions from the board, Mr. Blow said the availability of funds from FIND depends on how FIND scores the request. The total requested may not finally be available but may be a portion, instead, or none at all, depending on the size of other grant awards. Discussion by board members ensued and resulted in a motion and vote.

A motion by Chairman Benjamin to approve a maximum of \$90,000 to be provided during the 2020-2021 fiscal year for dredging the channel to the Vilano Beach Boat Ramp was seconded by Commissioner Flowers and passed unanimously.

C. Funding Request - St. Johns County Sheriff Marine Division.

Sgt. Josh Underwood, SJSO, reported on the previous month's activities by his agency. He said they spent 190 officer hours on the water and performed 80 inspections, attended to 3 boating accidents, and removed 6 hazards to navigation.

He reported the Coast Guard's buoy maintenance vessel remains in dry dock undergoing repairs and that the St. Augustine Inlet buoys will be repaired and placed back on station when the vessel returns to service.

On another matter, he reported the county commission voted to expand the no-wake zone at Ft. Matanzas to include the entire Matanzas Inlet area. The request will now be submitted

to the Florida FWC for approval. He said commissioners wanted to include the Summer Haven River but could not do so within the applicable statutes.

In response to questions from the board, Lt. Zukowski said the only available basis for a no-wake zone in the Summer Haven River is for 250 feet either side of the bridge because it is classified as a hazard to navigation.

St. Underwood then continued, requesting an increase in the District's budget from \$20,000 per year to \$25,000 per year for marine overtime for SJSO.

A motion by Commissioner Flowers to increase the funds set aside for SJSO Marine Unit overtime in the 2020-2021 budget to \$25,000 was seconded by Commissioner Way and passed unanimously.

St. Underwood then requested the board fund the purchase of thermal night vision devices for SJSO at a cost of about twenty thousand dollars. After discussion, Chairman Benjamin tabled the item until the next meeting.

11. **OLD BUSINESS** NONE

12. **PUBLIC COMMENT** - NONE

13. **COMMENTS BY COMMISSIONERS**

Commissioner Way said he was contacted by officials from the University of Florida Whitney Laboratory who would like to mount an electronic fish monitor on a marker piling nearest to the St. Augustine Inlet. He said the lab has been tagging various species of fish to track movement and would like to monitor the inlet for activity. Mr. Craig said that he would need to see the design of the monitoring unit before offering an opinion. Commissioners generally voiced approval of the plan but no vote was taken.

14. **NEXT MEETING:**

Chairman Benjamin announced the next regular meeting of the board will be held at 3:00 PM on Tuesday, June 16, 2020, in the St. Augustine Beach City Commission Room.

15. **ADJOURN**

There being no further business, Chairman Benjamin adjourned the meeting at 4:40 p.m.

Secretary-Treasurer

Chairman

