

**Sebastian Inlet District**  
Regular Commission Meeting  
Wednesday, 4:30 PM, November 8, 2023  
Sebastian Inlet State Park Fishing Museum  
Vero Beach, FL 32963

Minutes

Present at the meeting were: Chairman Jenny Lawton Seal, Commissioner Beth Mitchell (Vice Chair), Commissioner Michael Rowland (Secretary/Treasurer), Commissioner David Barney and Commissioner Lisa Frazier. Also, in attendance were: SID Executive Director James Gray, SID Contracts & Accounting Manager Dave Kershaw, SID Public Outreach Associate Ed Garland, SID Legal Counsel Jack Kirschenbaum, Kenneth Torres, (SISP), Sam Cox (SISP), Bryan Flynn (ESA), Quintin Bergmann (IRC), Eric Charest (IRC), Mel Scott (ATK) and Justin Bartusek (ATK).

Under Agenda Item I

Call to Order – Chairman Lawton Seal called the meeting to order at 4:30 p.m.

Under Agenda Item II

Election of Officers

Commissioner Frazier made a motion to retain the current slate of officers for the fiscal year 2023-2024. Commissioner Rowland seconded the motion. **The motion carried 5-0.**

Under Agenda Item III

Approval of the minutes of the regular Commission meeting of October 11, 2023.

Vice Chairman Mitchell made a motion to approve the minutes. Commissioner Barney seconded the motion. **The motion carried 5-0.**

Under Agenda Item IV

Presentations

- A. Sector 3 Beach Project Update, Eric Charest, IRC Interim Natural Resources Director  
Mr. Charest prefaced his presentation by stating that he has been named Indian River County's Interim Natural Resources Department Director under the county's restructuring at the beginning of the fiscal year. He said Mr. Bergmann has been promoted from the county's Sea Turtle Environmental Specialist position to Coastal Resources Manager. Mr. Charest then gave a PowerPoint presentation summarizing the status of Indian River County's Sector 3 Beach Project. He said Sector 3 will be renourished this coming winter with approximately 275,000 cubic yards of upland sand and about 730,000 dune plants to replace sand lost from Hurricane Nicole. The low bid was received from Dickerson Florida, Inc. in the amount of \$13,078,244.36. Vice Chair Mitchell asked whether Indian River County had secured all the easements for Sector 3 and 4. Mr. Charest said that there are a few property owners who did not sign easement releases in Sector 3. Regarding Sector 4, he said is still in the design phase, support is strong among property owners and signed easement are being submitted to the county at a rapid pace. Mr. Charest said Stewart Materials in Fort Pierce will provide the sand at \$39 per cubic yard. Commissioner Barney asked whether FDEP grant money originally allocated for Sector 7 could be used elsewhere. Mr. Charest responded that he has the flexibility to direct the funds to other projects and that the funds could be potentially used for sand placement at Sector 3 or Sector 4.
- B. Update on the North Jetty Repair Project, Bryan Flynn, ESA  
Mr. Gray prefaced Mr. Flynn's presentation by sharing PowerPoint images of the newly formed hole at the walkway leading to the north jetty. Mr. Flynn said pre-application permit meeting with FDEP and USACE regarding the North jetty project have begun. He said FDEP decided the project should be exempt from

permitting but that USACE would like to enter a full permit consultation, which could take several months to complete. Mr. Flynn said a thorough geotechnical study is now needed to better understand the degree of deterioration inside the compromised portion of the walkway and will help determine options for temporary and permanent repairs. He presented PowerPoint images of the walkway under construction in the 1950s and more recent photos of the compromised area. One emergency repair option calls for vibrating a vertical steel sheet and injecting grouting to fill the cavity. Long-term repairs are scheduled to begin in summer 2024, are expected to accept to 18 months. Mr. Gray noted that the project may need to be phased due to USACE permitting requirements.

#### Under Agenda Item V

##### Information and Discussion Agenda

A. Media and Information  
No discussion.

B. Executive Director's Reports

1. Update on the North Jetty Repair Project

Mr. Gray noted that Mr. Flynn addressed this topic during the Presentations portion of the meeting (Item IV, B).

2. Update on the District 2024 Legislative Appropriations request for Jetty Maintenance and Safety Improvements

Mr. Gray said he is working with the District's lobbyist, Chris Lyon, on a \$2 million legislative appropriation request. The funds would be used toward the District funded \$4.7 million jetty repair and improvement project. Mr. Gray is meeting next week with the governor's staff, Sen. Grall and Rep. Brackett of Indian River County to discuss the request. He said the District may have been denied funding last year because it was tied to the state park and, as a result, has separated the project purpose from the SISF. Mr. Gray noted that that the project may also be eligible for Beaches State Funding for jetty repair and maintenance in the future. Commissioner Barney asked if USACE funds were available to expedite the project. Mr. Gray replied that USACE funding would not apply. Commissioner Frazier said she hoped USACE expedites permits for the project due to the emergency repairs needed and the associated public benefit. Mr. Gray confirmed that the project focuses on infrastructure and safety maintenance repairs when discussed with the regulatory agencies.

3. Update on the Draft FDEP Sebastian Inlet Management Plan

Mr. Gray said the FDEP has completed the final draft of the Sebastian Inlet Management Plan. He said the final draft is expected to be approved before the end of 2023. He listed a few minor changes FDEP included in the final plan, all of which Mr. Gray described as acceptable.

4. Discussion of Consent Agenda

Mr. Gray reviewed the two Consent Agenda items for the Commission's consideration. (Details are found under Item X)

#### Under Agenda Item VI

##### Public Outreach Activities

Mr. Garland updated the commission on recent and upcoming outreach activities, including his scheduled participation in Indian River Lagoon Day on November 18, progress in the development of the District's new app, and scheduled presentations to the Vero Beach and Palm Bay chambers in January and February.

Under Agenda Item VII

Park matters — Ken Torres

Mr. Torres said plans are underway for the state park's annual cleanup next year.

Under Agenda Item VIII

Legal Counsel Update — Jack Kirschenbaum

A. Review of Florida's Ethics, Sunshine and Public Records Laws

Mr. Kirschenbaum gave the Commission its annual refresher course about Florida's ethics laws as they pertain to elected officials. He explained ethics implications, Florida's Sunshine Law, Public Record Law, and the potential impacts of commenting on social media. He advised commissioners to contact Mr. Gray or him if they have questions about ethics rules and policies.

Under Agenda Item IX

Public Comment Period

There was no public comment.

Under Agenda Item X

Consent Agenda

A. Authorized Work For Commission Review

No items.

B. Recommended for Approval

1. Work Order No. 2324-006-ATK, AtkinRéalís 2024-2025 Sebastian Inlet Sand Trap Dredging and Beach Placement Project

Mr. Gray said the District has selected AtkinRéalís (ATK) to assist the District in implementing its Sebastian Inlet Management Plan. Under the proposed work order, ATK provides design, engineering and bidding services necessary to construct the upcoming 2024-2025 Sebastian Inlet Sand Trap Dredging and Beach Placement Project. The total amount for the work order is \$188,170 and will be invoiced on a time-and-materials basis.

Vice Chair Mitchell made a motion to add Item 2 to the Consent Agenda. Commissioner Rowland seconded the motion. **The motion carried 5-0.**

2. Change Order No. 2 – Work Order No. 2223-006-ESA, Environmental Science Associates Post Hurricane Nicole – North Jetty Repair Services

Mr. Gray said the change order to Work Order No. 223-006-ESA is for additional geotechnical engineering services ESA must complete as part of the North jetty repair project. The change order is for a not-to-exceed amount of \$27,345. Commissioner Frazier said the project seems fluid and questioned whether the Commission should expect future change orders for the repair project. Mr. Gray said funding and construction is in place but the design alternatives are still under consideration and could change once the geotechnical study is completed.

Vice Chair Mitchell voted to approve the consent agenda. Commissioner Barney seconded the motion. **The motion carried 5-0.**

Under Item XI

Commissioner Items

Commissioner Frazier – Nothing.

Commissioner Barney – Nothing.

Chairman Lawton Seal – Nothing.

Secretary/Treasurer Rowland – Nothing.

Vice Chairman Mitchell – Complemented Mr. Garland on an article he wrote that will be included in a publication celebrating the city of Sebastian’s centennial.

Under Item XII

Unfinished Business

No Unfinished business

Under Item XIII

New Business

No new business.

Under Item XIV

Adjournment — Chairman Lawton Seal adjourned the meeting at 5:44 p.m.

  
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Secretary/Treasurer

  
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Date