

**Sebastian Inlet District**  
Regular Commission Meeting  
Wednesday, 4 PM, December 13, 2023  
Sebastian Inlet District Office  
114 Sixth Avenue  
Indialantic, FL 32903

Minutes

Present at the meeting were: Chairman Jenny Lawton Seal, Commissioner Michael Rowland (Secretary/Treasurer), Commissioner David Barney and Commissioner Lisa Frazier. Commissioner Beth Mitchell (Vice Chair) was absent (excused). 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, Jonathan Linder (Brevard County Mosquito Control), and David Jackson (representing Congressman Bill Posey).

Under Agenda Item I

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

Under Agenda Item II

Approval of the minutes of the regular Commission meeting of November 8, 2023.

Commissioner Frazier made a motion to approve the minutes. Commissioner Barney seconded the motion. **The motion carried 4-0.**

Under Agenda Item III

Presentations

Update on the District and Brevard Mosquito Control District partnership project to remove non-beach compatible material from the DMMA — Jonathan Linder, Brevard County

Mr. Linder gave a brief PowerPoint presentation summarizing the partnership project in which the Mosquito Control District repaired several mosquito impoundments using non-beach compatible material from the District's Dredged Material Management Area (DMMA). Responding to Commissioner Frazier's question about dimensions of the improved impoundment berms, Mr. Linder said the elevation on the lagoon side is 3.2 feet tall and three feet tall on the impoundment side. The driving surface is about 12 feet wide. The base is between 18 and 22 feet wide toe to toe. He thanked the District for its cooperation and would welcome the opportunity to collaborate again. He said the interlocal agreement saved the agency \$100,000 in material costs. Mr. Gray said the partnership also saved the District about \$100,000. Collectively, the partnership saved taxpayers \$200,000.

Under Agenda Item IV

Information and Discussion Agenda

A. Media and Information

No discussion.

Mr. Jackson arrived at the meeting, prompting Mr. Gray to request the Commission to amend the agenda to invite Mr. Jackson from Congressman Posey's office to speak. Commissioner Barney made a motion to amend the agenda to allow Mr. Jackson to speak. Commissioner Frazier seconded the motion. **The motion carried 4-0.**

Mr. Jackson read aloud a proclamation, dated December 12, 2019, recognizing the centennial of the

Sebastian Inlet District. He apologized for the delayed proclamation and attributed the delay to the COVID-19 pandemic. A copy of the proclamation is available in the recorded minutes.

B. Executive Director's Reports

1. Update on the Sebastian Inlet Management Plan

Mr. Gray said the Florida Department of Environmental Protection (FDEP) and the Sebastian Inlet Management Plan Technical Advisory Committee have approved the updated management plan. Following a public comment period that closes December 15, 2023, the management plan becomes fully adopted. Under the updated plan, the District's bypassing objective is reduced from 90,000 cubic yards a year to 75,000 cubic yards a year, and the District will be eligible for future project grants that were previously unavailable, Mr. Gray said.

2. Department of the Army Permit Renewal

Mr. Gray discussed the Army Permit which authorizes the District to continue dredging the sand trap and channel through 2032. Mr. Gray asked for the Commission approval for him to sign the U.S. Army Corps of Engineers (USACE) permit on behalf of the District. Commissioner Frazier made a motion authorizing Mr. Gray to sign the USACE permit renewal. Commissioner Rowland seconded the motion. **The motion carried 4-0.**

3. Update on the 2024 Appropriation Request for the Sebastian Inlet North and South Jetty maintenance and Safety Improvement Project

Mr. Gray updated the Commission on the District's state funding request for \$2 million for the Inlet North and South Jetty Maintenance and Safety Improvement Project. Mr. Gray described his recent successful meetings in Tallahassee with project sponsors and the governor's office. Based on his discussions in Tallahassee, he has a higher level of confidence in the potential for the District to receive funding this year as opposed to last year when the request was vetoed. Representative Brackett and Senator Grall locally support the project.

Mr. Gray also noted that the Florida House has filed a proposed committee bill (PCB LFS24-02) that revises several provisions relating to special districts. The bill includes a provision that would require a local voter referendum to reauthorize independent special districts ever 10 years. This raises concerns, he said, such as a situation in which Indian River or Brevard county fails to reauthorize the District because the District's boundaries are in both counties. District staff is working with its lobbyist, Chris Lyon, on exemption language and will propose to include the language to the House Committee. Commissioner Rowland asked whether the Brevard County Mosquito Control District is a special district. Mr. Kirschenbaum said the Mosquito Control District is a dependent special district of the county and would be exempt from this bill. Mr. Gray said the bill is moving rapidly and he will keep the commission apprised of its movement through the legislative process.

4. FDEP Grant 23IR3 Reimbursement, received November 2023

Mr. Gray said the District has received a \$690,000 reimbursement grant from FDEP for the emergency repair project the District completed last year. He included a copy of the check in the agenda packet.

5. Discussion of Consent Agenda

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

Under Agenda Item V

Financial Statement Update — David Kershaw

Mr. Kershaw gave an update on the District's quarterly financial statements, including a review of the interest

rates on the Florida Prime investment accounts. Details are available in the recorded minutes and agenda packet.

Under Agenda Item VI

Public Outreach Activities

Mr. Garland updated the commission on recent and upcoming outreach activities, including progress in the development of the District's new app, upcoming presentations to civic groups, and the upcoming publication of the latest chapter of the District's fish species series in January 2024.

Under Agenda Item VII

Park Matters

Mr. Torres was not in attendance to provide an update.

Under Agenda Item VIII

Legal Counsel Update — Jack Kirschenbaum

Nothing to report.

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. Amendment 2 to District and Gray Employment Agreement

Mr. Gray requested the agenda item to discuss a provision in his employment contract that caps annual leave at 480 hours. Due to storms and other commitments, he was unable to use all of his annual leave and would not receive any additional vacation time next year. He presented options to the Commission to resolve the issue. Following lengthy discussion by the Commission, Commissioner Frazier made a motion to retain Mr. Gray's maximum annual leave accrual at 480 hours but he will still receive contracted 194 additional hours in December 2023 that must be used by December 14, 2024, or lost. Commissioner Barney seconded the motion. **The motion carried 4-0.**

Under Item XI

Commissioner Items

Secretary/Treasurer Rowland – Happy holidays.

Vice Chairman Mitchell – Absent.

Commissioner Frazier – Happy holidays and thanked District staff for their work.

Commissioner Barney – Asked why USACE requires permitting for jetty repairs since the inlet isn't a federal inlet. Mr. Gray explained that federal and non-federal inlets are all required to follow a federal regulatory process.

Chairman Lawton Seal – Nothing.

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 5:10 p.m.

  
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Secretary/Treasurer

1/10/24  
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Date