

BEACH STEWARDSHIP COMMITTEE MINUTES

February 15, 2023 - 9:00 A.M.

PRESENT: Dan Rothenberger, Chair
Linda Borgia, Member
John Kurzman, Member

EXCUSED: Michael Welch, Member
Lenny Stamos, Vice Chair

STAFF PRESENT: Ayako Ruckdeschel, Beach Manager
Matthew McConnell, Assistant City Attorney (telephonic)
Jennifer McMahon, Chief Operating Officer
Ginny Bodkin, Deputy City Clerk

Chair Rothenberger called the meeting to order at 9:02 AM.

1. Presentations

- a. Capt. Neill Holland, Ocean Aid 360 - environmental issues (Red tide) and how his team is working to resolve them. Sea Turtle Trackers End of Season Report

Captain Holland introduced his Ocean Aid 360 colleagues. He explained some of their work and mission and their community-based events to collect ocean debris. He spoke about 2021 having a huge impact with Red Tide adding to the concern for healthy marine-life habitat. He explained that the dip nets that were being used for cleanup were inefficient. In conjunction with the Coastal Conservation Association of Florida and a grant from Duke Energy, prototypes for more efficient nets were created. Ocean Aid 360 was contracted for two days in late December of 2022 to assist St. Pete Beach with the massive fish kill pick up. The results were extremely positive.

A video presentation illustrating traditional fish kill cleanup vs. the newly developed 'Seascaper' collection nets was shown. The nets have unique elements in terms of larger capacity and the ability to access residential canals and areas inaccessible to larger boats, reducing cost and time. Captain Holland explained that the organization is developing the best model for municipal use that could either be purchased or contracted for use during times of need; the nets and services could be used by locals as well. He mentioned that emergency service contractors often come from out of state and lack local knowledge.

A question-and-answer period followed the presentation. Captain Holland expressed gratitude to the City for their support. The Chair encouraged the public to look at Ocean Aid 360's website.

2. Approval of the Agenda

Member Borgia moved, and Member Kurzman seconded the approval of the agenda as presented; the motion passed unanimously.

3. Audience Comments – None

4. Action Items

a. Approval of Minutes 11/16/2022

Member Borgia suggested the addition of the words ‘the ban on smoking’ after ‘Member Welch inquired about’ for clarity.

Member Borgia moved, and Member Kurzman seconded the approval of the November 16, 2022 minutes with the addition; the motion passed unanimously.

5. Items for Discussion

a. Usual and customary policies regarding ownership and public beach access –

Member Kurzman had asked that this item be on the agenda; he shared slides that he had prepared regarding public access to the beach. His slides are part of the meeting record. Mr. Kurzman spoke about definitions of mean high water and erosion control lines and those locations within St. Pete Beach, Florida Statute 161 and 163 excerpts, customary use, the St. Pete Beach Comprehensive Plan, HB 163, Walton County Panhandle and Redington Beach public access legal review excerpts, St. Pete Beach access points, Silver Sands Executive Session transcript excerpts from September of 2019, and Ordinance 2019-16 which rescinds parts of Ordinance 2018-17 regarding customary use of beach rights. He spoke about research he conducted on the Property Appraiser’s website regarding various hotel’s tax data, and maps of Coastal Construction Lines and Cadastral 2016 Property Appraiser Parcels Public View. He concluded with asking how the City should move forward with beach rights for residents and Sheriff enforcement, and the sensitivity of making any changes to usual and customary beach use.

Assistant City Attorney Matthew McConnell appeared telephonically; he first made clear that the City Attorney’s Office was not involved in any way with Mr. Kurzman’s presentation and that they take direction solely from the City Commission. He went on to comment that under prior administration, the 2018 Ordinance was adopted prior to the deadline specifically for the purpose of use as an affirmative defense in any proceeding. Mr. McConnell addressed the other matters that were raised including the City Commission’s decision to rescind that ordinance, the upcoming beach ordinance informing the Sheriff’s Office of places where they cannot evict anyone and having a clear depiction of property lines. He provided some updates to the Redington Beach and Walton County cases that are still ongoing.

Mr. McConnell explained that based on their last meeting, it appears that the City Commission is interested in embarking on a customary use process; it is a lengthy, involved process with statutory regulations that include notice of intent, collection of evidence, affidavits, hearings, etc. Mr. McConnell answered other questions concerning high water and erosion control lines, the dune system, cabanas and the public’s rights on dry land. The beach ordinance will provide more regulation.

5. Adjournment – Next meeting will be May 17, 2023 and will include the election of officers.

There being no further business, the meeting was adjourned at 10:07 AM.

These minutes were approved at the May 17, 2023, Beach Stewardship Committee meeting.