

**MINUTES
HARBOR CAPACITY STUDY
STEERING COMMITTEE MEETING
WEDNESDAY, FEBRUARY 24, 2021
DESTIN CITY HALL ANNEX CHAMBERS
5:30 PM**

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

The Harbor Capacity Study Steering Committee met in regular session with the following members and City staff present:

2. ROLL CALL:

Members Present

Jason Klosterman
Mike Buckingham
Michael Dombrowski
John Stephens
Eddie Morgan
Capt. Jim Green
Patrick Wilson

Staff Present

Community Development Director Louis Zunguze
City Planner/Floodplain Manager Traci Goodhart
City Planner Himangi Mutha
City Planner Daniel Butler
Code Compliance Manager Joey Forgione
City Clerk Rey Bailey
Land Use Attorney Kimberly Kopp

Members Absent

Ian Blaise

3. INTRODUCTION

A) Sunshine Law Refresher – Land Use Attorney

The City's Land Use Attorney provided a brief presentation on the Florida Sunshine Law and Public Records Law.

Government in the Sunshine Law

- Primary Purpose: Provide the public a right of access to governmental proceedings or public boards or commissions at both the state and local levels. Members immediately became subject to these laws as soon as they were appointed to this board.
- All meetings must be open to the public; making sure that meetings do not take place outside publicly noticed meetings.
- The Sunshine Law defines "meeting" as informal meetings of two or more members; and electronic communications between two or more members regarding any foreseeable matter which could come before the board.
- Penalty for violation of the Sunshine Law
 - ❖ Knowing violations can result in 2nd degree misdemeanor charges, with

penalties up to 60 days in jail and up to \$500 fine.

- ❖ “Not-knowing” violations are non-criminal but still subject to a fine up to \$500.
- ❖ Failure to comply could void the board’s actions relating to the subject matter of the violation.

The Public Records Act

- Any record generated or received in connection with the member’s role on a City board is a public record, and any member of the public has the right to request to view these records at any time.
- Public records are:
 - ❖ All materials used or received in connection with official business used to perpetuate, communicate, or formalize knowledge.
 - ❖ Any written documents and most on-written materials, such as papers, letters, maps, books, tapes photographs films, etc.
 - ❖ Electronic documents such as emails, text messages, documents generated in word processing software, etc.
- Emails – Do’s and Don’ts for elected/appointed officials:
 - ❖ Use the City of Destin email address for all correspondence relating to City business.
 - ❖ If a member receives an email at their private email address, they should immediately transfer it to their City of Destin email address.
 - ❖ Do not use any other email address for any correspondence relating to City business.
- Text messaging and other forms of instant, written communication (Facebook, Twitter, Instagram, Skype, etc....)
 - ❖ If a member receives or sends a text message from their private phone, they must transmit the text messages to their City issued phone or their City of Destin email address.
- Social Media Accounts
 - ❖ If a member maintains social media accounts, then they must maintain all public records relating to their board or committee on such accounts.
 - ❖ If a member maintains accounts and the City receives a public records request, then they must thoroughly search their accounts and produce any responsive material to the City Clerk.
 - ❖ The member must not delete any social media account relating to the business of their board or committee.
 - ❖ The member must not delete any public or private messages that they may have created or received from any individual or entity relating to the business of their board or committee.
- Penalties for violations of the Public Records Act
 - ❖ Knowing violations are a first-degree misdemeanor, punishable by removal from office, up to one year in prison, and/or a \$1000 fine
 - ❖ “Not-knowing” violations are non-criminal but still subject to a fine up to \$500.

B) Nomination of Chair and Vice-Chair

Committee member Mike Buckingham moved to appoint Committee member Jim Green as the Chair and Committee member Jason Klosterman as the Vice-Chair for the committee; seconded by Committee member John Stephens. Motion passed 7-0.

4. OVERVIEW: HARBOR AND WATERWAYS CARRYING CAPACITY STUDY

A) Opening Remarks – Director

Community Development Director Louis Zunguze welcomed the members of the Harbor Capacity Study Steering Committee and thanked them for volunteering their time to serve in the committee. He noted it has been over 369 days since the City Council passed a moratorium to help the study to be conducted in a predictable environment. It has also been over 516 days since the City of Destin entered into a memorandum of understanding with the United States Army Corps of Engineers (USACE) to perform the study. He also thanked his staff for all their efforts and determination working through COVID-19 pandemic. He also expressed his gratitude to the past and present City Council for their foresight, fortitude, and leadership for authorizing the study as well as the moratorium and providing the resources for the study to be undertaken. He noted that the harbor is approximately 1.17 square miles, and that the City envisions this area to be a festive mixed-use marketplace. The City, through its comprehensive plan and land development code, encourages tourist development design to first preserve waterfront views, preserve water dependent activities and foster a pedestrian oriented environment throughout the harbor. Major goals are to create a world-class harbor opened to the public., to find the delicate balance between ensuring the environmental health of the harbor and ensuring the safety and enjoyment of all entities and parties that use and visit the harbor, and to promote the economic viability of all establishments and businesses on the harbor.

B) Presentation by Meredith LaDart – Project Manager, USACE

Ms. Meredith LaDart, Project Manager, USACE, gave the following presentation:

Introduction: Ms. LaDart asked each member of the committee to introduce themselves by answering the following questions:

- Name
- Who do you represent?
- What do you hope to contribute to this committee?
- Questions you would like answered

Patrick Wilson:

- He does not represent any particular group. He lived in Destin for 30 years.
- He works on the harbor selling real estate
- Owns a photography business
- Plays in a band
- Believes the harbor is the heart of the City
- Wants to make sure the harbor does not turn into a nightmarish place

Eddie Morgan

- Owner of Harbor Docks Restaurant, one of the oldest restaurants in Destin
- Over the course of his life he has seen lots of changes in Destin, both good and bad
- He would like to make changes for the better going forward

Mike Buckingham

- Main goal is to be a part of whatever it takes to clean up the harbor and get back to the basic purpose of the harbor: entertain, fish, enjoy

Jim Green

- Boat captain
- President of the Charter Boat Association
- He would like to contribute common sense recommendations on how to address challenges they currently face in the harbor
- Goal is to clean up the harbor in an environmental way: i.e., stormwater runoff, educate people better in keeping the harbor as pristine as possible
- Question he would like answered is how to make the harbor better whether it be widening the channel, cutting down the number of businesses in certain areas where it is extremely congested

Mike Dombrowski

- Resident of Destin for 28 years
- Live on the harbor
- Principal Engineer of a marina and coastal engineering consulting firm
- Worked in the harbor within Northwest Florida over the last 30 years and hope to bring some of his experience to this committee
- Questions:
 - ❖ What is the committee's purpose and its expected contribution to the study?
 - ❖ What is the expected work product this committee will be working with?

Jason Klosterman

- Boat Captain
- Vice President of the Charter Boat Association
- Primary goal is to work with the committee to try to find a balance between keeping the harbor as clean as possible, as safe as possible, and economically viable as possible for all the business owners and their families

John Stephens

- Livery operator
- Primary goal is to listen and understand the main purpose of the Harbor Capacity Study

Carrying Capacity Study Overview – Why are we here?

- Purpose of the study. Conduct surveys to determine:
 - ❖ Where there are conflicts

- ❖ Where there are concentrations in terms of heavy used. Areas with heavy congestions
 - Party cove atmosphere. Some people love, some people avoid
 - Get perceptions from various users
 - Look at the information gathered, analyze and use the result to formulate recommendations with which the City can identify

Carrying Capacity Study Overview – Roles and Responsibilities

- City of Destin and USACE enter into a formal agreement
- USACE – Project Manager – Meredith LaDart
 - ❖ 15 years with USACE
 - ❖ Background in Economics, Finance, and Statistical Analysis
 - ❖ Will manage the oversight of the study, the survey, and hiring a contractor to help execute the survey
 - ❖ Shoot aerial imagery
 - ❖ Responsible for delivery of final products
- City of Destin – Project Sponsor
- Steering Committee
 - ❖ Formulate recommendations
 - ❖ Identify conflicts
 - ❖ Make recommendations to City Council on improvements to the harbor

Carrying Capacity Study Overview – Timelines

- Workshops - April/May 2021
- Survey Execution – Summer 2021
- Technical Analysis – Fall 2021
- Draft Report – Fall 2021
- Public Comment/Workshop – Late Fall 2021
- Final Report – Winter 2022
- Implementation – Spring/Summer - 2022

5. SURVEY WALKTHROUGH

Ms. LaDart provided a brief overview of the survey discussing the types of questions and some of the key data they will try to capture in the survey.

Key data includes the following:

- The quality of water in the Destin Harbor and surrounding waterways
- The quality of facilities
- Personal experiences

Types of questions include the following:

- *What is your gender?*
- *What is the city, state, and zip code of your primary resident?*
- *Have you visited the Destin Harbor and/or surrounding waterways before?*
Number of prior visits?
- *What type of vessel are you using?*
- *Would you consider using a public boat ramp to access the harbor and/or*

surrounding waterways?

- *How would you personally rate the quality of each item (1 – very poor to 5 – Excellent)*
 - ❖ *Boat ramp*
 - ❖ *Disabled accessibility*
 - ❖ *Maneuverability*
- *Are there any favorite locations that you go in this harbor? If so, where?*
- *Are there any locations in the Destin Harbor and/or surrounding waterways you deliberately avoid because of other boats/watercraft? If so, where, and why?*
- *Are there any areas in the Destin Harbor and/or surrounding waterways that you feel unsafe? If so, where and why?*
- *Have you notice any positive or negative changes in the Destin Harbor?*
- *How important is it to consider costs and benefits when addressing environmental impacts on fish, wildlife and their habitats? (1- not at all, to 5 – Extremely)*
- *How important is it to consider the costs and benefits when addressing environmental impacts related to water quality? (1 – not at all, to 5 extremely)*
- *What is your perception of water quality in the Destin Harbor and surrounding waterways? (1 – very poor, to 5- Excellent)*

6. QUESTIONS FROM THE COMMITTEE

Chairman Green asked if there was a criteria or different sets of questions, or whether they will be approaching property owners and business operators along the waterways, other than the actual people using the waterways, to get a different view or perception.

According to Ms. LaDart, they will be providing the survey to very specific groups, especially those that are using the harbor on a personal watercraft. They will also be mailing out surveys to a random sample of property owners within the City of Destin. They will make sure everybody's voice is heard, especially those participating in the public workshops. The range of sampling should protect the integrity of the survey and the results.

Committee member Klosterman asked if the members of this committee could be provided a copy of the survey and if they would be allowed to provide input on the survey questions whether something needs to be changed or added to the survey.

Ms. LaDart explained she worked with the City of Destin on this survey, and it is customized for the intended purpose. The survey questions must meet federal guidelines, and they are already going through the review process. To execute a survey with the federal government, they need approval from the Office of Management and Budget (OMB), which could take a while. As a federal agency, they need permission to burden the public even if it is on behalf of the City of Destin. There need to be a set number of hours for the survey. They generally want the survey to be completed in less than 10 minutes because they do not want to overly burden the public. She can provide a copy of the survey to the committee. If there are comments or questions this committee has significant concerns about, or questions they strongly feel needs to be added, they are not at a point in the process where they cannot add a question. However, they are at a point in the process where they cannot do a large-scale rewrite of the survey.

Chairman Green asked if the questions were drawn from habitual concerns voiced by the public.

Mr. Zunguze explained they have been getting inputs from the public. Livery operators and property owners have shared their issues with the City. They have a general idea on many of the issues that have been raised and had shared those with Ms. LaDart.

Committee member Buckingham asked if there had been a study conducted by USACE in the Panhandle within the last few years similar to what they are currently doing in the harbor.

Ms. LaDart responded there had not been a recent study done within the Panhandle. They have worked in the reevaluation of the harbor in Panama City, and currently the Okaloosa County study for a beach and dune project.

Ms. LaDart also stated that for the next meeting, they could start focusing on refining roles and responsibilities, recommendations from members of this committee in terms of improvements that they want to see for the harbor and the concerns voiced by members of this committee and other constituents.

Committee member Dombrowski asked what their limitations are in terms of identifying their concerns and recommendations. He stated that carrying capacity pertains to the maximum number of users, in this case the boaters, that can utilize a system before it becomes a negative factor on the entire community, the system or the environment. He asked whether they are limited to just boater population or to the number of docks or slips; or could it include such things as environmental and economic concerns.

According to Ms. LaDart, they can certainly identify their concerns in terms of the environment, how it could potentially limit the growth or the impact it might have on the local economy. They can also identify improvements they want to see in terms of the environment in the harbor. She also explained that in terms of capacity, particularly in their waterways, they tend to break things out to their zones of use. They would essentially break the harbor out into different sections and look at pieces where there is intense use versus pieces where there is lower use.

7. PUBLIC COMMENTS – None

8. NEXT SCHEDULED MEETING – March 24, 2021
ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 6:25 PM.



Jim Green, Chairman