

MINUTES OF THE BOARD OF SUPERVISORS

ISLE OF PALMS SPECIAL DISTRICT

November 14, 2018

Board President Ken Wright opened the meeting; calling it to order at approximately 1834 hours with a Roll Call of all Board members present [Agenda Item 1]. Other Board members/officers present were Vice President Paul Raudenbush, Secretary Brad Radloff, Member Tim Pacheco, and Member David Touring. A quorum was established with all five Board members present at the meeting. Board Attorney Wayne Flowers of Lewis, Longman & Walker (LLW), along with Joe Wagner, P.E. of Wood, PLC as representative for the District's Engineer of Record to administrate upcoming dredging efforts, were also present. A total of 7 homeowners from the District attended.

Agenda-Specific Public Comments [Agenda Item 2]-

As a result of a Florida Statute, public comments of agenda items only (no general items) are to be taken prior to addressing the Meeting Agenda. There were no public comments on any agenda items from attending homeowners (however, any who wished to comment later, during the meeting, did so as discussions proceeded on each agenda item).

OTHER AGENDA ITEMS

3. Approve the Minutes of the October 10, 2018 Board meeting.

MOTION: To approve the minutes of the October 10, 2018 Board meeting, by PRaudenbush.

The motion was seconded by KWright and PASSED unanimously by all Board members.

4. Treasurer's Report. PRaudenbush provided an update to the Treasurer's Report for this meeting and reported the District's bank balance at \$1,087,458.93, as of 10-31-18. In addition, there were two bill(s)/invoice(s) needing the Board's approval for payment: (1) from LLW for \$2,550.00 and (2) from the Florida Department of Economic Opportunity (FLDEO) \$175.00 (annual fee). As a special note, there is a dual signature requirement that is in place for all checks/bill payments.

MOTION: To approve the payments to LLW and FLDEO, as described above, by PRAudenbush and KWright, respectively.

Said motions were seconded by KWright and TPacheco, respectively, and PASSED unanimously by all Board members.

5. Receipt and discussion of Dredging Bid Preparation proposal by Mr. Wagner. Discuss whether and how to request bids for dredging. [*HISTORY:* During the last meeting in October there was much discussion about the District/Board should put together bid documents to go ahead see what kind of bids come in to get an idea of the cost the District is looking at. However, after ideas and suggestions were thrown around and discussed during the meeting; issues, such as, realistic start-dates for dredging and who would actually put the bid package together brought up the question as to whether or not Wood is currently under contract with the District to put together a bid document and administrate bid proceedings, to which Mr. Wagner indicated that Wood is not. After more discussion about bid preparation, language, and necessary requirements to be included in the bid package, etc. AND about certain members of the Board preparing said bid document, etc. BRadloff suggested requesting a quote from Wood to prepare said document since Wood has done seven in the past year already and our District won't have to create a new wheel, so to speak, when it comes to all the nuances in the language needed for the document. KWright suggested that we request a quote from Wood to act as our agent to administer our bid proceedings and the Board should be ready to act on Wood's proposal and whether or not Wood should go ahead and start the bid process during the November 2018 meeting]. For this November meeting, Mr. Wagner started off (before discussing Wood's proposal) by informing the Board that the HWSD authorized (at their November 13, 2018 Board meeting) a Resolution "Approving closing of an agreement with the City of Jacksonville, for purchase of property located on Reed Island; providing an effective date" AND the publishing of a job posting "District Manager" for their district. Apparently, the Resolution puts the HWSD first in line to purchase the subject property and effectively takes the IOPSD out of the running for the potential purchase of the property. The District Manager position for the HWSD, once filled, will be necessary to operate the day-to-day functions of their district, especially once they obtain the second property and begin to manage the process of accepting spoils from various other districts like the IOPSD.

Mr. Wagner then continued with the presentation of Wood's proposal/scope of services for "final design and construction services" (i.e., preparing the bid documents/managing the bid process and, upon selection of a contractor to conduct dredging activities, oversee/manage the dredging activities). He passed out copies of their proposal to all those needing one (he had sent the proposal to Board members days earlier) and went over the details of the proposed scope of services, which appeared to be all encompassing, from preparing bid documents/bid assistance services, construction plans, specifications, and contract documents to construction-related services and project closeout (which is actually more than the Board requested from Wood during last month's meeting). The total fees for said services were quoted at \$197,326.00, on a firm-fixed basis with almost \$18,000.00 of that total number being the cost to actually prepare the bid package and provide bidding services. In general, the proposal was based upon

using HWSD's DMMA (once it's permitted) and dredging using a "center-channel" template, but leaving it open for other options (as far as other DMMA's and the chosen dredging template). The cost The Board members had questions about how the project would be scheduled relative to the sequence of tasks and associated timelines for each, the issue of homeowner waivers that may be required for dredging close to in-water facilities along the canals, and the potential for bulkheads blowing-out, if the bulkhead-to-bulkhead template is chosen for dredging. Discussions ensued revolving around when the bid documents should be sent out, where the spoils should or could be taken and when, and trying to get an idea what the dredging pricing might be and what the best way would be to get that pricing (PRAudenbush would like to test the market somehow to get pricing ideas in order to receive "actionable data"). Much of the discussion was directed toward when bids could be requested relative to when the District could actually start dredging without having the bid quotes expire. The bottom-line to the discussion was that bids shouldn't be requested too early relative to when the dredging can start and if dredging can't start until the HWSD spoil site is ready to accept spoils (AND permitted), then actually requesting bids should be held off. So, to get PRAudenbush an idea of what kind of cost the District could expect, within reason, Mr. Wagner suggested that he could prepare an "Engineer's Opinion of Cost" to complete the dredging based upon the estimated 150,000 cubic yards of total dredge volume and using the center-channel template.

MOTION: To authorize Wood to prepare an "Engineer's Opinion of Cost" to complete the dredging, by KWright.

Said motion was seconded by PRAudenbush, and PASSED with two dissenting votes from DTouring and TPacheco.

6. Discuss whether and how to proceed with efforts on 12% City cost share of dredging. [*HISTORY:* WFlowers and PRAudenbush have contacted the COJ to determine their position on the Ordinance that appears to allow for a 12% contribution from the COJ for the District's dredging efforts. Both received the same answer, that the COJ's position according to the OGC was that the 12%, in their opinion, does not apply to the IOPSD because the District already has an avenue for collecting funds to conduct maintenance dredging. At the September 2018 meeting, Mr. Pipes was asked if their District was able to benefit from the Ordinance to which he suggested that they could not since their waterways are not officially available to the public, which is also the explanation the OGC used for their opinion. Mr. Wagner still thinks the IOPSD should pursue this issue based upon his knowledge of those that have been able to take advantage of it (like Miller's Creek but which has some public access, a qualifying factor).] Discussion on this issue was deferred until more thought can be put toward it and, perhaps, research in order to exhaust every possibility of trying to obtain the cost share funds.
7. Present Annual Audit. KWright passed out copies of the "Isle of Palms Special District - Financial Statements, for the Year Ended June 30, 2018," as prepared by Magers & Associates, LLC. TPacheco has a question regarding language that seems to indicate in one part of the audit that the District is in compliance but in another part that the District is not. WFlowers provided an explanation for the non-compliance that revolves around

the official budget for the District, where in this case, for one of the line items (Engineering Services), more was spent for the particular fiscal year than what was budgeted and what is supposed to happen is that the District should have either the made the adjustment before submitting the budget or submit an amendment indicating thus, within 60 days. So WFlowers suggested doing a monthly budget (spending) check and make any adjustments, as necessary, to avoid making similar mistakes.

8. New Business. KWright brought up the annual notice to report any disposal of documents related to the District by the Board members. He stated that he has not and asked each of the other four Board members and each of them stated that they have not.

TPacheco notified the Board that he will need to buy new signs and/or parts for signs and that he will front the money and request payment at the next meeting.

General Public Comment -

There were no comments from the public at the end of the meeting (comments/questions taken during the meeting).

Adjournment -

KWright adjourned the meeting at 1952 hrs.

Future Meeting Dates -

Meetings are to be held on Wednesdays at 6:30 PM at the "Pablo Creek Regional Library," 13295 Beach Blvd. Jacksonville 32246; for the dates listed below:

December 12, 2018 January 9, 2019 February 13, 2019