

MINUTES OF THE BOARD OF SUPERVISORS

ISLE OF PALMS SPECIAL DISTRICT

December 12, 2018

Board President Ken Wright opened the meeting; calling it to order at approximately 1830 hours with a Roll Call of all Board members present [Agenda Item 1]. Other Board members/officers present were Secretary Brad Radloff, Member Tim Pacheco, and Member David Touring. Vice President Paul Raudenbush was available remotely via Bluetooth/speakerphone for part of the meeting and then arrived at about 1900 hours. A quorum was established with the 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 8 homeowners from the District attended. The meeting was held in Community Meeting Room B of the Pablo Creek Regional Library at 13295 Beach Boulevard, Jacksonville, FL 32246.

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 November 14, 2018 Board meeting.

MOTION: To approve the minutes of the November 14, 2018 Board meeting, by KWright.

The motion was seconded by TPacheco 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 \$1,404,434.57, as of December 11, 2018. In addition, there was one bill/invoice needing the Board's approval for payment from LLW for \$375.00. As a special note, there is a dual signature requirement that is in place for all checks/bill payments.

MOTION: To approve the payment to LLW, as described above, by KWright.

Said motion was seconded by BRadloff and PASSED unanimously by all Board members.

5. Receipt of “Engineer’s Opinion of Cost” for IOP dredging from by Mr. Wagner and discussion/questions about it. [HISTORY: During the 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. Then, at the last meeting in November, Mr. Wagner presented to the Board Wood’s proposal to provide “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). 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). 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. 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 and then possibly having to re-bid everything and incur additional costs to administrate the process a second time. 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. A motion was passed, with two dissenting votes, to authorize Wood to prepare the opinion of cost for presentation to the Board at the December 2018 meeting].

For this December meeting, Mr. Wagner came to the meeting prepared to present to the Board the "Engineer's Opinion of Cost" which was entitled "Preliminary Order of Magnitude Engineering and Construction Cost Estimate," dated December 6, 2018. Said document was fairly encompassing with figures, tables, possible methods/procedures for dredging, potential regulatory issues, bathymetric data from previous surveys, discussion of a previously requested proposal for rectifying particular problem areas where there are shoaling issues in around the canals, and, of course, the cost the estimate. Mr. Wagner started off by passing out, to whoever needed one, copies of the Cost Estimate and proceeded to basically summarize the results of the estimate. The bottom-line was that the estimate to complete the dredging, all said and done, was in the range of \$5,400,000 to \$6,400,000. After said presentation, much discussion regarding the estimate ensued between the Board members and Mr. Wagner, revolving around the actual usefulness of the opinion of cost and what the actual cost will be. Mr. Stanley Pipes of the HWSD was also attending the meeting to provide an update on the status their spoil site, etc. and indicated that the COJ-Parks Dept. agreed to sell the needed parcel of land to the HWSD and that the purchase could be introduced to the COJ Council at their next meeting in January and MAY receive approval six weeks later, if everything goes as expected. Once HWSD has possession of the parcel, they can begin permitting and conduct the necessary preparations for use. Mr. Pipes provided some details regarding surveying and grubbing, etc. but suggested that they should be ready to accept spoils within six months of the actual purchase of the parcel from the COJ. He also suggested that he understands that the ACOE is supposed to be getting more strict as it relates to applying for and/or renewing dredging permits.

The purpose of obtaining the opinion of cost from Wood was to assist in determining when the dredging could get started based upon the funds currently available to the District and how much might be needed from a loan to get started sooner than later. Much discussion ensued on this with varying opinions as to, for example, whether the estimate is accurate enough, is there even enough funds to get started along *with* a loan, when should the bidding process actually begin, and where should the spoils go. A dredging contractor, Lance with Brance, also attended the meeting and provided some insight into dredging costs and also suggested that if the District was ready to dredge within eight months, he would do it for \$4,000,000. After more discussion, it became apparent that determining when to start the bidding process revolved around not only when the HWSD spoil site was going to be ready (and *that* would be based upon when the COJ approved the sale of the Parks Dept. parcel) but also how much money the District will have at a given time and how much a lender would be willing to loan at that same time. Given that, an early estimate might suggest that the dredging could get started around January or February 2020, after receiving another infusion of funds from the 2019 assessment and receiving bids that are much more competitive than the Engineer's Opinion of Cost.

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 during November's meeting 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. At this December's meeting, it was thought that the issue should still be "pressed" by appealing to the District's City Councilmember. In an effort to go that direction WFlowers was asked to get the paperwork for the Budget line item on that. Need to find someone in the neighborhood that has contacts at the COJ to make in-roads with either Councilman Gulliford or the new in-coming councilman (since it appears Gulliford may be term-limited out).

7. New Business. No new business.

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 1942 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:

January 9, 2019 February 13, 2019 March 13, 2019 April 10, 2019 May 8, 2019

June 12, 2019 July 10, 2019 August 14, 2019 September 11, 2019 October 9, 2019

November 13, 2019 December 11, 2019