

MINUTES OF THE BOARD OF SUPERVISORS

ISLE OF PALMS SPECIAL DISTRICT

January 9, 2019

Board President Ken Wright opened the meeting; calling it to order at approximately 1833 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 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 plus Stanley Pipes and David Prysock from the Harbor Waterway Special District (HWSD). The meeting was held in a Community Meeting Room 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 December 12, 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 \$1,422,242.32, as of December 31, 2018. In addition, there were three bills/invoices needing the Board's approval for payment and included: (1) LLW, \$750.00 for monthly legal fees, (2) Wood, \$404.00 for engineering fees, and (3) TPacheco, \$131.65 for reimbursement of costs for

signs/publishing notices. 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, Wood, and TPacheco, as described above, by BRadloff, KWright, and KWright again, respectively.

Said motions were seconded by TPacheco, BRadloff, and BRadloff, respectively; all of which PASSED unanimously by all Board members.

PRaudenbush also provided a brief summary/update regarding the Budget Report that is intended to keep track of changes to the current fiscal year's budget on a line-item basis. The intent of said report is to facilitate the reporting/accuracy of the current year's budget and preparation for projecting the upcoming fiscal year's budget and will be very useful closer toward the end of the fiscal. PRaudenbush indicated that there currently are several deviations from budgeted line-items that will need to be addressed when the time comes to report/project.

5. Discussion and vote 2019 Officers of the Board (P, VP, T, S) and appoint Tim Pacheco to fill the currently vacant Seat 4 or another willing to serve. The discussion basically started off by asking all the current Officers whether they would like to or be willing to again maintain their 2018 positions for 2019. All Officers indicated that they would like to or agreed to maintain their positions, as listed below:

President >>>> Ken Wright, Central IOP

Vice President >>>> Paul Raudenbush, South IOP

Treasurer >>>> Also, Paul Raudenbush (Thank you, Paul)

Secretary >>>> Brad Radloff, North IOP

MOTION: To approve the Board Officers for 2019, as outlined above, by KWright.

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

There was also discussion regarding the appointment of Tim Pacheco to the Board since he did not desire to re-apply for his former Seat 4 during the last election in November 2018 (Seat 4 came up for another four year term). TPacheco indicated that he was not interested in sitting on the Board again but would consider it, if the rest of the Board members would be willing to make an attempt at obtaining permission from the City to allow the Board to have authority or "control/oversight" over certain aspects of dock and bulkhead construction and maintenance, along with establishing limits on how far structures can be placed into the canals. He also said that he would be willing to head up

a Committee to organize and manage the enforcement of such authority. Much discussion ensued between the Board members, including remarks from Stanley Pipes, regarding the proposal with varying opinions and degrees to which it may or may not be acceptable. Although there was some level of agreement to the actual need for such authority, the general sentiment seemed to be that a review process to oversee such authority would likely be overwhelming without additional help that could be maintained over the years. However, it *was* brought up that the Board could try to obtain the authority and, if obtained, decide later how and to what extent the authority would be enforced. Also, other ways were discussed about being able to obtain some level of authority without amending the District's authority, including determining if there is any City Code enforcement available to fall back on. The Board left this action as deferred until Board members have gotten an opportunity to look at what HWSD has as far as their rules/regulations regarding such authority and asked TPacheco to extend his presence on the Board until then, if he will. After such discussion, the attendees in the audience were asked if anyone was there to be considered as a nominee for appointment to the Seat, to which there were none.

6. Further discussion, if any is deemed necessary, regarding project bid timing or the "Engineer's Opinion of Cost" for IOP dredging. [*HISTORY*: At the December 2018 meeting, Mr. Wagner presented an "Engineer's Opinion of Cost" (as the Board requested from the November meeting) to assist the Board with deciding when the dredging might be able to get started but also when a request for bids should be sent out to get a definite idea as to the actual potential cost of dredging. The bottom line to the Engineer's Opinion of Cost was that, to complete the dredging, all said and done, it would be 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.

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 December 2018 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. So, it was agreed that bidding should begin after a better idea is obtained from HWSD as to when they thought their spoil site might be ready for use. It was suggested that the spoil site might be ready to go some time by the latter half of 2019. Given that, an early estimate was suggested that the dredging might 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.] For this January meeting, Stanley Pipes was available again to provide an update to the HWSD's progress on purchasing the second parcel from the COJ, to which he indicated that they have a meeting with the COJ on January 10, 2019 to discuss certain details/requirements (e.g., additional grubbing) for the purchase of the land and necessary language requirements for the contract. Also, DTouring re-initiated the discussion of going ahead and putting bid documents out and didn't understand why the District wasn't doing it now. The other Board members then reminded everybody what was discussed at the previous meeting and suggested it might not be until sometime mid-2019 before bids would actually be obtained, based, primarily upon when HWSD secures the second parcel of land.

7. 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 -- 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). At the December 2018 meeting, it was thought by some Board members that the issue should still be "pressed" by appealing to the District's City Councilmember. 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)]. Some discussion ensued again on how the Ordinance should be interpreted and how the District should proceed to make in-roads and possibly obtain City Council support. The Board members don't know any Council members to approach PRAudenbush indicated that since the previous Board meeting he was able to set up a meeting with at least one Council member the Monday after this Board meeting and knows of another Council member that he might be able to contact for discussion about the Ordinance. It was brought up that the Board might invite certain Council members to one of the District's meetings in an attempt to help them understand the nature of the District and how the Ordinance should apply.
8. 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 1923 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:

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