

MINUTES OF THE BOARD OF SUPERVISORS

ISLE OF PALMS SPECIAL DISTRICT

March 13, 2019

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 Secretary Brad Radloff and Member Dave Touring. Vice President Paul Raudenbush was available remotely via Bluetooth/speakerphone. Former Member Tim Pacheco had tendered his resignation subsequent to the February meeting. A quorum was established with the three Board members present at the meeting. Board Attorney Wayne Flowers of Lewis, Longman & Walker (LLW) and Joe Wagner, P.E. of Wood, PLC, as representative for the District's Engineer of Record to administrate upcoming dredging efforts, were both present at the meeting. A total of 10 homeowners from the District attended plus Stanley Pipes 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 of the 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 February 13, 2019 Board meeting.

MOTION: To approve the minutes of the February 13, 2019 Board meeting, by KWright.

The motion was seconded by PRaudenbush and PASSED by the Board members present.

4. Treasurer's Report. PRaudenbush provided an update to the Treasurer's Report for this meeting and reported the District's bank balance at \$1,449,230.47, as of February 28, 2019. In addition, there were two bills/invoices needing the Board's approval for payment and included: LLW, \$475.00 for monthly legal fees and the annual fee of \$216.00 with

the UPS Store for a mail box and address for the District. As a special note, there is a dual signature requirement that is in place for all checks/bill payments.

MOTION: To approve payments to LLW and the UPS Store, as described above, by KWright.

The motion was seconded by BRadloff and PASSED by the Board members present.

PRaudenbush had no changes to the 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 year.

5. Review and possible appointment of Board Member from the North Isle of Palms to replace TPacheco. [*HISTORY:* former Board Member TPacheco chose not to run for re-election during the 2018 election cycle for his North-IOP Seat (No. 4) and ultimately resigned subsequent to the February 2019 meeting.] A previously unknown nomination/candidacy was presented to the Board at this meeting for filling the Seat 4 vacancy. The candidate was Joshua "Josh" Reichert of 14583 Plumosa Drive and attended this March meeting to be considered for appointment to Seat 4 of the Board to replace TPacheco. He was introduced to the Board by KWright and was allowed to briefly present his background after which the Board voted whether to make his appointment.

MOTION: To approve the appointment of Josh Reichert from Plumosa Drive to Seat 4 of the IOPSD Board of Supervisors, by KWright.

The motion was seconded by DTouring and PASSED by the Board members present.

WFlowers indicated that Resolution 19-02, to memorialize the appointment of Mr. Reichert, would be prepared for signatures which can be done at the April 2019 meeting. He also indicated that Resolution 19-01, to adopt the approval of the FY 2019/2020 budget (pending a vote under Agenda Item 6 below), had already been prepared for signatures.

6. Discussion and approval of IOP Special District Budget for FY 2019/2020 (July 1, 2019 to June 30, 2020). Copies of the proposed budget were distributed to Board members prior to the meeting and attached to the agenda posted on the District's website. KWright presented a brief summary of the budget and open the floor for discussion. Some discussion ensued relative to when budget dollars should be applied to actual dredging

costs and the possibility of raising the annual assessment another \$100.00 per year. WFlowers also suggested that, however the Board approves the budget for next year, it can always be amended, if necessary. For example, if the approved budget includes the increase in the annual assessment but it is not approved during the Public Hearing held to vote on the increase (the Hearing would be held after approving the budget), then the budget would need to be amended to reflect such. By the same token, if there is no funding allotted to and approved for actual dredging efforts for the same period, it does not mean that the budget cannot be amended at a later date to include such funding. PRAudenbush and Stanley Pipes provided suggestions and insight for the timing of getting the COJ to include the 12% cost share in their budget and how that will need to be in-place relative to obtaining a loan for dredging and what that might mean for the applicable budget line-items. Joe Wagner also provided some insight with Millers Creek Special District and how they are proceeding at obtaining said cost sharing from the City.

MOTION: To approve the IOPSD Budget for FY 2019/2020, as presented, by KWright.

The motion was seconded by PRAudenbush and PASSED by the Board members present.

WFlowers provided Resolution 19-01, to adopt the approval of the FY 2019/2020 budget, for signatures by the President and Secretary of the Board.

7. Update regarding remaining portion of the spoil site acquisition by HWSD. KWright indicated that he and Stanley Pipes met with Councilman Gulliford and attended a couple committee meetings to help the process of approvals along for this acquisition, if possible, and reported that, thus far, the approvals were obtained. Then, Stanley Pipes expounded on the progress, in detail, and suggested that the transaction has started going through the various committees "this week," prior to making it to the City Council for approval that should occur on March 26th or possibly for one more session two weeks later, if not approved on the 26th.
8. Update on efforts to secure 12% City cost share of dredging. Discuss impact of 12% cost share efforts on time of project bidding [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 to our District. Mr. Wagner, on the other hand, still thinks the IOPSD should pursue this issue based upon his knowledge of those that have been able to take advantage of it (i.e., Miller's Creek but which has some public access, an apparent 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 - the 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)]. Since the December 2018 and more recent previous Board meetings, PRAudenbush indicated that he has made some in-roads with Rory Diamond, an upcoming new City Councilmember for our district, about possibly attending the District’s meetings and he would be open to supporting our push to obtain the 12% cost-share but would want to see us obtain further support from other councilmembers. At the last Board meeting in February, PRAudenbush’s suggestion was to try and make this happen prior to the City Council approving a new budget and prior to our going out for bids on the dredging, so that the 12% contribution can be included in the City’s budget for FY 2019/2020. For this meeting, PRAudenbush provided similar and additional information for the possible cost sharing as it related to the budget approval for FY 2019/2020 in Agenda Item 6 above. He also added that the Board may need help from WFlowers to draft language to present a proposal to the COJ. DTouring sought some clarification on whether the 12% cost share, if obtained, would need to be solicited from the City for each year after initial approval and, if the dollar amount is based on construction costs, how would the total dollar amount be determined prior to obtaining bids for construction. According to Joe Wagner and WFlowers, once approved by the City the funds stay in the budget until the funds are exhausted or until something changes that would make the funds inaccessible. Joe Wagner also indicated that for Miller’s Creek, Woods’ Opinion of Cost (Engineer’s Estimate) was used to determine the necessary dollar amount for purposes of designating the necessary funds to the City’s budget line item.

9. 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 1900 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:

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