

## MINUTES OF THE BOARD OF SUPERVISORS

### ISLE OF PALMS SPECIAL DISTRICT

June 12, 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 Dave Touring, and Member Josh Reichert. A quorum was established with all five 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 3 homeowner(s) from the District attended. 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 May 8, 2019 Board meeting.

**MOTION:** To approve the minutes of the May 8, 2019 Board meeting, by KWright.

**The motion was seconded by PRaudenbush and PASSED unanimously 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 \$1,470,159.28, as of May 31, 2019. There were no invoices requiring review and/or the Board's approval for payment at this meeting. As a special note, when there are invoices to be paid, there is a dual signature requirement that is in place for all checks/bill payments.

For the monthly summary/update regarding the Budget Report, PRaudenbush suggested

changes to the approved Budget that, thus far, is mostly accurate across the board with the possible exception of the budget line items for engineering, auditing, and insurance fees. The Board discussed the possible disparities and agreed to adjust as indicated in the following motion:

**MOTION:** To amend the 2018/2019 FY Budget to reflect transferring \$200.00 from Engineering to Audit fees and \$1,554.00 also from Engineering to Insurance, by KWright.

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

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. Update, finalizing second portion of spoil site sale to HWSD. Possible discussion of HWSD proposal to IOPSD. Stanley Pipes of the HWSD attended the meeting to provide an update on the progress with their spoil site and to provide a draft agreement (for utilizing the HWSD's spoil site) specific to the IOPSD for the Board's review and consideration. Mr. Pipes indicated that they are in the process of completing the grubbing/clearing and that they have much heavy equipment on the island. He also suggested that although they had planned on using both parcels together as one large open site, for purposes of insurance liability, they are installing a cross-berm between the two parcels (to be referred to as Cell A and Cell B), one cell (A) that will be used by the IOPSD and the second cell (B) by other depositors [for example, he indicated that HWSD had just closed on an agreement with Reed Island Mgmt., Inc. (formerly Brance) for 300,000 cubic yards and 10 years to deposit spoils from their residential customers). Initial surveys indicate a possible combined capacity of 1.1M to 1.2M cubic yards.

The Board briefly discussed some aspects of the draft letter but most members just received the agreement for the first time and had not had an opportunity to go over it. As such, the Board decided to discuss the agreement at a later date after all Board members had reviewed it. Some discussion ensued regarding, general insurance requirements, certain possible sample collection and analysis of sediments prior to depositing spoils, and possible contract/agreement length versus total agreed to capacity usage.

6. Update on efforts to secure 12% City cost share of dredging. Include the 12% cost share in City Budget for 2020. Assign City Council Members to be approached by IOPSD Board Members. [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. It has been Mr. Wagner's position, however, that he 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 had reached out to Rory Diamond, an upcoming new City Councilmember for our district, about possibly attending the District's meetings (Mr. Diamond attended and participated in the April Board Meeting) and about the possibility of supporting our push to obtain the 12% cost-share and trying to obtain further support from other councilmembers. At another previous 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. Then, at the Board's March meeting, PRAudenbush provided similar and additional information for the possible cost sharing as it related to the budget approval for FY 2019/2020 and added that the Board may need help from WFlowers to draft language to present a proposal to the COJ. Also at the March meeting, 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. At the April meeting, with suggestions from Rory Diamond, it was decided that the District to prepare (at least in draft form) a letter/proposal that will be submitted to the City indicating why the Board believes our District qualifies for the cost share. PRAudenbush indicated that he might be able to prepare an initial draft letter, with help from Joe Wagner and WFlowers, for review by the rest of the Board during the May meeting. For the May meeting, PRAudenbush presented to the rest of the Board members, an initial draft letter requesting support from the City Council to include in their Budget for FY 2019/2020 the 12% cost share (or about \$768,000.00). The Board discussed the content of the letter, including minor revisions to the grammar specifics, etc. and approved of and lauded PRAudenbush's work on it. There was also a discussion on how to present this proposal to all the other Councilmembers, including trying to meet one-on-one with each of them.]

During this June meeting, PRAudenbush indicated that he had sent the Board-approved letter to all the City Councilmembers. After which, discussions ensued once again about how to get the support of said Councilmembers and the timing involved with getting the 12% cost share for the IOPSD put into the City's budget for FY 2019/2020. Based upon the discussions, it was determined that the 19 Councilmembers should be approached after July 1<sup>st</sup>, when all newly-elected Councilmembers would be in place, to discuss the possibility of getting their support of the 12% cost share for IOPSD and have it included in the City's budget. Three to four Councilmembers were assigned to each Board member for contacting after July 1<sup>st</sup> (and once again, if there are homeowners in the District that have contacts/connections with any Councilmembers, the District would be happy to get some help from them for introductions, etc.).

7. Vote on whether to publish Notice of possible increase in Annual Assessment by \$100.00 maximum, to \$950.00. KWright provided a summary/refresher of the authority that the Board possesses to increase the annual assessment a maximum of \$100.00 until the lifetime maximum of \$1000.00 per annum is reached, if the Board sees fit. Currently, the annual assessment is set at \$850.00. For each new FY, a Hearing can be held, usually in July (beginning of the new FY), to consider and vote on an increase after hearing homeowners (within the District) that would be affected by an increase and read any letters, as submitted to the District prior to the Hearing, that may be for or against an increase.

After some discussion between the Board members, it was apparent that most (if not all) members were in favor of the maximum annual increase of \$100.00 for this upcoming FY 2019/2020, especially in light of the fact that the final payment to the City for the original dredging was made during the FY 2018/2019. A motion was made to have LLW send out the required notification letter to each affected homeowner and also publish the Hearing date (July 10, 2019) and other details in the appropriate newspaper.

**MOTION:** To publish the Hearing date and have notification letters sent to affected homeowners indicating the proposed increase in the annual assessment of \$100.00 to \$950.00, by KWright.

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

8. New Business. There was no new business to discuss.

### ***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 1926 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:

July 10, 2019   August 14, 2019   September 11, 2019   October 9, 2019   November 13, 2019

December 11, 2019