

## MINUTES OF THE BOARD OF SUPERVISORS

### ISLE OF PALMS SPECIAL DISTRICT

December 13, 2017

Board President Ken Wright opened the meeting; calling it to order at approximately 1835 hours with a Roll Call of all Board members present [Agenda Item 1]. Other Board members/officers present were Secretary Brad Radloff, Vice President Paul Raudenbush, Member Tim Pacheco, and Member David Touring, establishing a quorum with the presence of all Board members. Board Attorney Wayne Flowers of Lewis, Longman & Walker (LLW) was also present. Approximately 13 homeowners from the District attended. Joe Wagner, P.E. of Wood, PLC (formerly Amec-Foster Wheeler) representing the selected but yet to be confirmed Engineering firm that is intended to administrate the District's dredging efforts, was also present.

#### **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 8, 2017 Board meeting.

**MOTION:** To approve the minutes of the November 8, 2017 Board meeting, by KWright.

**The motion was seconded by TPacheco and passed unanimously by all Board members.**

4. Treasurer's Report. PRaudenbush reported an account balance \$1,067,324.53, as of November 2017. In addition, there was one bill(s)/invoice(s) needing the Board's approval for payment and included: 1) LLW for \$1,325.00. As a special note, there is a dual signature requirement that is in place for all checks/bill payments.

**MOTION(S):** To approve payment to LLW, as described above, by KWright.

**Motion was seconded by PRaudenbush and passed unanimously by all Board**

**members.**

5. Discussion of and vote on engineering services/project management with Wood, PLC (Wood). *HISTORY:* the District was required to publish a Request for Qualifications (RFQ) to provide Engineering Services and Construction Administration from a qualified Engineer, receive RFQ's/review/select an Engineer, and then conduct a negotiation phase to determine the fees for the necessary services, as prescribed by the District. DTouring was chosen as the designated contact person for questions/comments and final submittals. Interested firms that had submitted Statements of Qualifications (SOQ) in a timely manner, included Applied Technology & Management, Inc. (ATM), Wood, and Taylor Engineering, Inc. (TEI). After certain Board discussions and formal process, the interested firms were ranked Nos. 1 through 3 with No. 1 being the Board's first choice and so on. Wood was ranked No. 1, TEI No 2, and ATM No. 3. As of this evening's meeting, the No. 1 ranked firm (along with their proposed scope of services and fees) still requires approval by the Board.

Prior to discussing Wood's Proposed Scope of Services and possibly confirming Wood as the District's Engineer, DTouring provided an update on the possibility of using a spoil site that Harbor Waterways Special District (HWSD) is attempting to secure. DTouring indicated that he had met with the Chairperson of HWSD whom had suggested that they still expect to close on the spoil site by the year's end and that, if the two Districts can come into agreement on using the spoil site together, they would not require a lot of sample collection and analysis of our sediment prior to placement in the spoil site. Also, DTouring met with Joe Wagner to discuss Wood's fees associated with any necessary sample collection and analysis to which Mr. Wagner suggested that they could work the District on that and only bill on an as needed basis.

At this evening's meeting, a Proposed Scope of Services (revised from the version submitted by Wood at the November meeting) which includes specifications for certain proposed task(s) [and associated fees to complete said task(s)] that the District will need in order to begin the process of getting the canals dredged and construction management during the process, needs to be discussed and possibly voted on. Said discussion and possible vote by the Board would be part of the process of confirming Wood as Engineer of Record for the District. The Fees for said services would be the primary factor in determining whether Wood would be confirmed as such. The Board discussion began with the fees estimated for the proposed tasks, based upon the associated personnel rates quoted in the proposal. KWright asked about a reduction in the overall fees for certain tasks after the revision of Wood's Proposal and DTouring suggested that the number of hours were reduced for this revision based upon slight changes in the scope of services. KWright also suggested that he had affected changes to the contract terms for concerns regarding Limitations of Liability between the District and Wood. BRadloff suggested that the personnel rates seemed somewhat elevated based upon possible Wood's internal multipliers but after some discussion a majority of the Board decided that the rates were in line with current industry standards and moved on to discuss the proposed tasks and what was included with each. The Board members

continued the discussion with questions for Mr. Wagner regarding specifics of the proposed tasks. More specifically, PRAudenbush had concerns about how the surveys (e.g. spacing for transects) and how that would address “trouble spots” or places where there is more sediment loading and how those spots could be identified during the surveys and, thus, more adequately addressed during dredging. Mr. Wagner suggested that the transect spacing could be adjusted, based on the District’s knowledge of where those trouble spots are located, to ensure identification of the spots and ultimately addressed. He also suggested that that he could make that happen without any adjustments to the scope and even, possibly, any increases in necessary fees. However, the Board suggested that they would be more comfortable having something included in the proposed services that reflects that approach and specifically allows up to an additional 10 transects, if necessary. A resident attending had a question regarding the timing/scheduling as proposed and how accurate it is, to which Mr. Wagner suggested was fairly close. Another resident asked about when the homeowner’s will be given a heads up prior to dredging a particular canal and when boats would need to be temporarily moved. Mr. Wagner suggested that notices would be sent out with a reasonable time period prior to the arrival of the dredgers.

**MOTION(S):** To approve Wood’s proposal/contract, dated December 5, 2017; and, therefore, confirming Wood as the District’s Engineer of Record for the purpose of administrating dredging efforts, by KWright.

**Motion was seconded by PRAudenbush and passed unanimously by all Board members.**

WFlowers also informed the Board that a second motion would need to be made which provide Wood with a notice to proceed with Task 1 of the approved contract.

**MOTION(S):** To authorize Wood to proceed with Task 1 of the approved Wood proposal/contract, dated December 5, 2017, by KWright.

**Motion was seconded by PRAudenbush and passed unanimously by all Board members.**

PRAudenbush also wanted to be sure the survey/transect issue was officially addressed to include a motion that authorizes Wood to provide for special transects during the survey that address the “trouble spots” (i.e., sand-bars, filled areas) discussed earlier in the meeting.

**MOTION(S):** To authorize AFW to identify, in the survey, known “trouble spots” for the purpose of including such spots within the conceptual design documents, by PRAudenbush.

**Motion was seconded by KWright and passed unanimously by all Board members.**

6. Finalize meeting dates for 2018. TPacheco suggested that we already have a meeting scheduled for January 10, 2018 and February 14, 2018 but will need to get more dates approved. So TPacheco asked to see if he could secure the following additional dates, every month, for the rest of the year: March 14, April 11, May 9, June 13, July 11, August 8, September 12, October 10, November 14, and December 12.

**MOTION(S):** To authorize scheduling and publishing the dates, as described above, for 2018, by KWright.

**Motion was seconded by TPacheco and passed unanimously by all Board members.**

7. New Business. A) BRadloff requested an update from WFlowers regarding research the Board asked him to do that would confirm whether there are any regulations/guidance that specify a distance(s) that homeowners can building into the canals (e.g., a setback or 33-33-33 percentage of canal space, type guideline). *HISTORY*: TPacheco has been concerned about new construction in the canals that will potentially obstruct normal navigation through the center of the canals and wants something to be figured out about how we can police or otherwise inform property owners about not building more than a “a third, a third, and a third” across the canal. Others in the meeting suggested that they have seen language that suggests footage homeowners can build into the canal and Barbara Karosik, a Marsh View Drive resident, suggested that she could produce documents that might show where the language came from. As a result it was decided that some investigatory work be conducted to determine the possible source of the language and authorize WFlowers to conduct the investigation, as necessary, in an effort to come up with something that might be posted on the District’s website as a guidance to property owners for future construct. WFlowers suggested that he has done some investigation, given the initial direction from documents provided by the homeowner, and has not found anything, as yet, but has other ideas here he can look. B) KWright suggested that Board Officer positions are up for nomination and election in January, so that will need to be addressed at that next meeting and Board members should think about what they want to do. C) Joe Wagner brought up an email that he had sent to BRadloff regarding the possibility that the COJ may have an obligation to pay 12% of dredging costs based upon an Ordinance that addresses certain Public Waterways and that the IOPSD may qualify under the Ordinance to receive such funds. Mr. Wagner got wind of the Ordinance while attending another SD meeting. He said he would send all the Board members the email so that it could be discussed at another meeting.

***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 10, 2018   February 14, 2018   March 14, 2018   April 11, 2018   May 9, 2018

June 13, 2018   July 11, 2018   August 8, 2018   September 12, 2018   October 10, 2018

November 14, 2018   December 12, 2018

***General Public Comment -***

There were no comments from the public at the end of the meeting (certain comments/questions were brought up during the New Business part of the agenda and provided there).

***Adjournment -***

KWright adjourned the meeting at 1935 hrs.