

MINUTES OF THE BOARD OF SUPERVISORS

[Special Board Meeting]

ISLE OF PALMS SPECIAL DISTRICT

March 31, 2021

[As a result of the COVID-19 Pandemic and necessary restrictions related to public gatherings, Board meetings are temporarily not held at the San Pablo Public Library, as their meeting rooms have not been reopened yet. Recently, space within the Angies' Subs Shop has been reserved for regular monthly Board meetings where mask-use and/or spacing guidelines can be observed, if necessary. However, this Board meeting was held in the Raymond-James Office Building at 245 Riverside Avenue in Jacksonville due to the need for readily available legal support there. [Also, usually Board meetings can be attended virtually via Skype-based audio-only teleconference; however, the call-in line was not available for this particular meeting. The call-in phone number normally is (904) 348-0303 and the Conf. ID is 972932507#]

Board President Ken Wright opened the meeting; calling it to order at approximately 1630 hours with a Roll Call of all Board members present [Agenda Item 1] at the Raymond-James 1st floor conference room. 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 the five Board members present at the meeting. Board Attorney Wayne Flowers of Lewis, Longman & Walker (LLW) was also present for the meeting. Charlene Stroehlen, P.E., the Project Manager with Wood, PLC, as representative for the District's Engineer of Record to administrate upcoming dredging efforts, was neither present at the meeting nor available via call-in/speaker. There were two homeowners physically attending the meeting. Lance Young of BDI arrived at the meeting at approximately 1700 hrs.

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 homeowners physically present at the meeting.

OTHER AGENDA ITEMS

3. Review of Paul's Dredging Cost Spreads and corrections, if any. PRaudenbush reported that there is still some deliberation on the part of the bank based upon the budget with certain changes made to the engineering costs, the dredger's first invoice, and the next upcoming payment to HWSD for use of their spoil site with regard to finalizing the paperwork for the loan. He also indicated that based upon on the total bid amount

(~\$3.8MM) and the likely inability to remove ALL the sediment estimated to be removed, the final dredging costs may be closer to the actual loan amount (~\$3.3MM), so there should be a little more flexibility with the budgeted amounts. As for the fixed payments to HWSD for using their spoil site, PRaudenbush suggested approaching HWSD about possibly making the next payment early and obtaining an early payment discount and in doing so would, the funds could be applied to the cost-share program from the COJ. He also indicated that, once the Board determines what the procedure is for obtaining cost-share payments from the COJ, previous Wood invoices (from when Joe Wagner was still the Project Engineer) could be included for reimbursement via the program. Some discussion ensued between some of the Board members on a line-item by line-item basis and where there might be adjustments to be made once the project moves along more. PRaudenbush outlined some of the closing costs that may be incurred for the loan. KWright voiced his concern over timing issues associated with the NTP issued to BDI and forthcoming invoices/payments that will need to be addressed when the bank has not finalized the loan as of the date of this meeting. Some discussion ensued regarding possible payment schedules/scenarios with and without the loan procurement and it was concluded that there should not be an issue with making the first few payments until the loan is finalized.

4. Discuss and possible vote on Wells Fargo financing of dredging project. PRaudenbush reported that based upon his communications with Well Fargo, mostly all due diligence documentation required by Well Fargo has been submitted to them and it appears that they are just about ready to proceed with the underwriting, and maintains that the bank loan is go. The District now will need to receive the loan documents/terms from Wells Fargo, which will be reviewed/edited by WFlowers and once he has made any necessary adjustments, the Board members can review the documents prior to closing. WFlowers provided some insight on the process for getting the loan documents agreed to, and also indicated that, once the loan documents are in order, the Board will need to approve a Resolution indicating that the Board is obtaining the loan on behalf of the District. PRaudenbush will be in contact with Wells Fargo to determine when the closing will occur (apparently, due to Wells Fargo's COVID policy, closings are conducted virtually until further notice). The vote anticipated for this agenda item was deferred until a later date.
5. Status/further action on ARC Surveying: a) laser survey of structures, b) information on canals and side of cuts, and c) correction of cuts and staking. KWright began this agenda item by referring to an email report that he distributed to the Board members, prior to this meeting, regarding his own discussions with Lance Young of BDI, Rick Sawyer of ARC, and Charlene Stroehlen of Wood and issues associated with the dredge template that everyone agrees it appears that it is a little off. The email also presents a solution, based on the discussions, to address the issues that basically revolves around allowing the dredging to occur down the only "center-line" (of a canal) that is available for the dredging barges to navigate and maintain the contract distances from bulkheads and other structures. Much discussion ensued between the Board members regarding these issues, the contract distances, etc., along with their opinion on what the appropriate

solution should be. However, in order to authorize these changes, a simple amendment that adjusts the template as would be noted in the amendment and shared with the engineer, the survey, and the dredger. At this time, Lance Young chimed in (having arrived only a few minutes earlier) with, basically, a progress report and information from the field that would be helpful in scheduling and understanding what is coming up, such as being in the middle of building two narrow barges (total 20' wide) that should be able to fit in most places. He also indicated that surveys would be coming in for Baselines 1 (N and S) and we will be able to see where the results come in for those relative to what was estimated. Much discussion revolved around having to use a change-order and how to go about making the changes/language for the change-order(s). At first, it was decided that the representative Board members would be responsible for adjusting the template for each of their canals on a large scale map which could be used to indicate the needed adjustments. Then, after more discussion, it was suggested that we ask ARC to provide (and, if so, pay additional fees) for an adjusted template that better reflects the center-line of each canal and takes into account the new boathouses, docks, and other structures that have appeared since the last dredge.

MOTION: To authorize BRadloff to negotiate with Rick Sawyer of ARC to identify/adjust issues on the N and S templates in order to generate an amendment/change-order, by KWright.

Motion was seconded by PRAudenbush and PASSED unanimously, by the Board members present.

Also during this discussion, one of the homeowner's (Lane Nelson) that was attending the meeting was used as an example to address certain areas that are not within the dredging template but should be. It was agreed that, along with the simple amendment and/or change-order, these types of areas can be addressed.

KWright also reported that the laser/condition survey was still going on.

6. Discuss and consider approval of BDI invoice #1. Board members had a short discussion about the invoice, including the nature of the invoice which was for BDI's mobilization of equipment to the site for \$69,184.80 and then approved it.

MOTION: To authorize payment of BDI's first invoice for mobilization, as described above, by KWright.

Motion was seconded by PRAudenbush and PASSED unanimously by the Board members present.

7. Discussion of COJ reimbursement process and application, identify responsible Boardmember. KWright started the discussion with a summary of what the cost-share program is, being a 12% reimbursement from the COJ for project related costs, which amounts to \$768,000.00. However, the Board would need to determine what the process

is for actually requesting reimbursements and ask for a volunteer to figure out the process and begin obtaining reimbursements. WFlowers indicated that we should use Millers Creek as an example since they have already obtained funds from the program and suggested that whoever volunteers to figure out the process and submit paperwork for such reimbursements should talk to Jonathan Wright, Secretary at Miller's Creek since he has experience in doing this and WFlower has his contact information. DTouring volunteered to take on this responsibility.

8. New Business. 1) BRadloff indicated a damage claim from Kevin Wortmann at 14625 Lagoon Drive but did not know what the procedure was to submit for it. The Board said to give him the contact information for the contractor and that they should deal directly with them. It was also agreed that the Board should be notified of any damage claims and that after any such claims are satisfied, the Board should also be notified that. 2) Lane Nelson wanted to make a point that because of the all the prop wash occurring near his home at the Moorings intersection at Baseline 1, the results of the survey for Baseline 1 will likely be affected by the dredging activities at the Moorings and that the Board should be aware of the situation.

General Public Comment -

There were no other comments from the public at the end of the meeting (comments/questions were taken during the meeting, if any).

Adjournment -

KWright adjourned the meeting at 1755 hrs.

Future Meeting Dates -

Meetings are held on Wednesdays at 6:30 PM, normally at the "Pablo Creek Regional Library," 13295 Beach Blvd. Jacksonville 32246 BUT are currently being held in Angies' Sub Shop at 1436 Beach Blvd. in Jacksonville Beach until further notice; for the dates listed below **[however, because of the uncertainty revolving around the ever-changing restrictions placed on public gatherings, please check the District's website (isleofpalmsjax.com) for any updates to the location of the upcoming meeting):**

April 14, 2021

[Future meeting dates for the 2021 calendar year will be posted on the District website and published on a month to month basis, hopefully, only for the near future]