

MINUTES OF THE BOARD OF SUPERVISORS

ISLE OF PALMS SPECIAL DISTRICT

November 8, 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, Member Tim Pacheco, Member David Touring, and Vice President Paul Raudenbush on speaker from a remote location, establishing the presence of all Board members and a quorum with Board members physically present. Board Attorney Wayne Flowers of Lewis, Longman & Walker (LLW) was also present. Approximately 8 homeowners from the District attended. Joe Wagner, P.E. of Amec-Foster Wheeler (AFW) 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 October 11, 2017 Board meeting.

MOTION: To approve the minutes of the October 11, 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 \$787,317.18, as of October 2017. In addition, there was one bill(s)/invoice(s) needing the Board's approval for payment and included: 1) the annual fee to the Florida Dept. of Economic Opportunity (FLDEO) for \$175.00. 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 FLDEO, as described above, by PRAudenbush.

Motions were seconded by KWright and passed unanimously by all Board members.

5. Update and report by Board Member David Touring and Scott Henley (not present) re: City and Harbor Waterway spoil sites use and cost. *HISTORY:* DTouring has suggested in previous meetings that there are basically three options as potential spoil sites go - the 1st is JaxPort's Bartram Island which has a fee of \$22.00/yard, the 2nd is the use of one of the local Florida Inland Navigation District (FIND) sites where the property is basically leased for a short term (at \$100,000 per month) but then soils need to be removed and the site restored to its prior condition afterwards, and the 3rd possibly entering into a cost-sharing agreement with Harbor Waterways Special District (HWSD) to use the site they are in the middle of trying to secure on Reid Island. Reid Island apparently has a capacity of 500,000-600,000 yards and HWSD has only a need for about 25,000 yards, leaving much availability/capacity for the IOPSD.

At this evening's meeting, DTouring reported that he had recently contacted Stanley Pipes, Chair of HWSD, to obtain an update on any progress HWSD has made since their last contact and Mr. Pipes suggested that they are planning on closing on the spoil site (Reid Island) before the 1st of the year (or prior to the end of this year) and after that happens, they will be ready to enter into discussions regarding a possible agreement for the IOPSD to also use the site for the disposal of dredge spoils. DTouring added that Mr. Pipes indicated he was very excited about the prospect of entering into an agreement with the IOPSD and considered our District their partner.

6. Report by DTouring on negotiations for engineering services/project management with AFW with possible vote on AFW's Proposal. *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. Since the September 13, 2017 Board meeting had to be cancelled due to Hurricane Irma, the selection discussion and voting on a particular Engineer was conducted for October meeting. Interested firms that had submitted Statements of Qualifications (SOQ) in a timely manner, included Applied Technology & Management, Inc. (ATM), Amec Foster Wheeler (AFW), 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. AFW was ranked No. 1, TEI No 2, and ATM No. 3.

At this evening's meeting, DTouring discussed a proposal from ARC Surveying and Mapping that included the additional costs of mobile laser scanning services that may be needed by the District, along with a comparison to Boatwright Surveying's services.

There was also another proposed Scope of Services from AFW that needed to be discussed and included the specifying of 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. The Proposed Scope of Services and fees from AFW would also be discussed and, possibly, voted on by the Board as part of the process of confirming AFW as Engineer of Record for the District. The Fees for said services would be the primary factor in determining whether AFW would be confirmed as such. The Board members had questions for Joe Wagner, Project Manager for AFW, and discussions ensued regarding how the contract and services would be administrated, in what order, and when it would occur, including the proposed fees in AFW's proposal which seemed excessive to most of the Board members. However, there were also specific concerns by KWright regarding language in AFW's Professional Services Agreement (PSA), primarily revolving around the "Limitation of Liability" section and certain other specifics that KWright wanted to discuss with AFW outside the meeting.

MOTION(S): To defer acting on contract negotiations with AFW, pending discussions/submittals between AFW and KWright regarding the PSA language and final agreement on fees, by KWright.

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

7. Update on purchase of Bluetooth speaker for future use when Board members must participate by phone. *HISTORY:* TPacheco suggested the Board should invest in a reasonable "Blue Tooth" speaker system that is more professional and something that people can hear, for times like a previous meeting when two Board members couldn't be physically present. The speaker was purchased and being used during this evening's meeting and seemed to be working well.
8. Finalize meeting dates for 2018. Because of policy changes at the library, only three months at a time can be scheduled, so only January and February dates could be scheduled along with a proposed December 13, 2017 date (currently not scheduled but would have to be checked into by TPacheco and advertised).
9. New Business. Doug Oosting asked about a new line-item, required by the City, on the budget that indicates revenues lost and gained, as matter of discounts and penalties from the ways tax bills are paid. Russ Lang on Tide View asked whether the Proposal was available for review, which it is. DTouring offered his opinion on whether the District should include the waterways off and at the end of Stacy Rd. (that weren't included in the original dredge), representatives from those waterways have recently asked the Board whether they could now be included, and basically suggested that due to regulatory considerations, timing, and additional costs, it would not make sense for the District to attempt to include those waterways at this time (however, possibly, for the next rotation/evolution after the permit comes up for renewal again). TPacheco was 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 have seen language that suggests footage homeowners can 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 construction in the canals.

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:

Possible meeting scheduled for December 13, 2017 (check the website or watch for the signs)

Other upcoming meetings for 2018 are TBA.

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.