

MINUTES OF THE BOARD OF SUPERVISORS

ISLE OF PALMS SPECIAL DISTRICT

July 10, 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 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 13 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 June 12, 2019 Board meeting.

MOTION: To approve the minutes of the June 12, 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 \$1,474,603.88, as of July 10, 2019. . In addition, there was one bill/invoice needing the Board's approval for payment and included: LLW, \$425.00 for monthly legal fees. As a special note, there is a dual signature requirement that is in place for all checks/bill payments.

MOTION: To approve payment to LLW, as described above, by PRAudenbush.

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

For the monthly summary/update regarding the Budget Report, there was no discussion since amendments were made to the budget at the June meeting to reflect more accurate line items for engineering, auditing, and insurance fees.

The general 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. Discussion of and inform residents and get any feedback regarding HWSD's proposal to IOPSD. Stanley Pipes of the HWSD attended the meeting and was available to provide any updates on the progress with their spoil site and to answer any questions the Board may have regarding their proposal for use of their spoil site. Mr. Pipes provided a brief update to the progress on the preparation of the spoil site and that portions of the site are already being used by entities from Fernandina Beach.

The Board still needs to discuss HWSD's proposal (for use of their spoil site) and prepare a draft of any necessary changes for submittal back to HWSD.

6. Update on efforts to secure 12% City cost share of dredging and include the 12% cost share in City Budget for 2020. Further discuss City Council Member meetings with 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. At the June meeting, PRAudenbush indicated that he had sent the Board-approved letter to all the City Councilmembers. After which, discussions, amongst Board members, 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 1st, 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 1st (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.)].

At this July meeting, PRAudenbush provided some update on where the COJ is relative to the budget process (we missed the original budget submittal but still pushing for the next step in the process) and his further discussions with certain of the Council Members and their support of our proposal.

Walter Jakobowsk from Marsh View Drive asked whether other similar special districts were able to obtain this 12% funding - the answer to which was yes, Miller's Creek SD - and his second question was has our District secured a spoil site as yet - the answer to which was no, but that we have a proposal in hand for one and the Board still has to review it and agree to it to finalize negotiations.

Andrew Arnold from Plumosa Drive asked whether the District was entirely dependent on obtaining the 12% cost share or would the dredging go on as quickly as we would all like it to - the answer to which was that it is uncertain at this point since the District doesn't really have enough to dredge right now in the first place and so, of course, any other additional funding would help.

7. Vote on Annual Assessment: whether to increase it by the maximum, \$100.00 to \$950.00, as noticed. 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 which, if approved, would be increased to \$950.00. He also suggested that, per the District's original Ordinance, the Board will only be able to increase the annual assessment another \$50.00 to \$1,000.00, unless the District attempts to seek approval from the COJ to increase the overall maximum assessment. He also suggested that as for purposes of this meeting, he is FOR the increase of \$100.00 to \$950.00.

The Board asked if there were any questions/concerns from the attendees:

- 1) *Walter Jakobowsk* wondered, wouldn't the District have enough funds after the new assessment (would bring in almost \$500,000.00 this FY) to go ahead and get dredging. The answer was over 50% would still need to be borrowed to do so.
- 2) *Midge Marino* from Silver Palms had concerns over the increase due to her fixed income and did not want the increase to pass. She was also upset from previous assessments, after sending letters to the Board and never heard anything back. She asked if there was any consideration that the Board could make as an exception for her assessment. The answer was that there were no avenues for the Board to make exceptions.
- 3) *Allan Childers* from Tradewinds Drive asked if the money in the District's account collects any interest. The answer was yes, it does collect interest in a "Cash Management Account."
- 4) *Steve Meyer* from Sea Breeze Road indicated that he was in support if the increase.
- 5) *James Fowler* from Tideview Drive wondered whether the \$1000.00 maximum per annum, once reached, would be enough to get dredged and could it be increased. The answer was that the District is stuck with that, right now, and that some people

don't want it increased \$100.00, let alone \$1,000.00.

After some discussion between certain 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.

MOTION: To increase the annual assessment, for FY 2019/2020, by \$100.00 to \$950.00, by KWright.

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

WFlowers also indicated that he will be submitting Resolution 19-03 (after necessary signatures from the Board) to the COJ indicating the increase and change in budget. He also indicated that the tax rolls have not changed since the last annual assessment and that one parcel (#180348-0000) that is 0.01 acres and not on the water has been excluded historically from the assessment rolls in past years.

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 1906 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:

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

December 11, 2019