

## MINUTES OF THE BOARD OF SUPERVISORS

### ISLE OF PALMS SPECIAL DISTRICT

August 14, 2019

Board President Ken Wright opened the meeting; calling it to order at approximately 1830 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, and Member Dave Touring. Member Josh Reichert was not present but participated via remote speaker phone. A quorum was established with the four Board members present at the meeting. Board Attorney Wayne Flowers of Lewis, Longman & Walker (LLW) was not present but John Wallace of LLW sat in place of him and Joe Wagner, P.E. of Wood, PLC, as representative for the District's Engineer of Record to administrate upcoming dredging efforts, was also present at the meeting. A total of 2 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 July 10, 2019 Board meeting.

**MOTION:** To approve the minutes of the July 10, 2019 Board meeting, by PRaudenbush.

**The motion was seconded by KWright 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 \$1,474,178.88, as of August 14, 2019. In addition, there was one bill/invoice needing the Board's approval for payment and included: LLW, \$500.00 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 BRadloff 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 HWSD proposal to IOPSD. Since the Board is not entirely ready at this point to sign the proposal and make a large down-payment to HWSD for use of their spoil site, more discussion on finalizing adjustments to the proposal was deferred until such time that the Board *is* ready. 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. KWright asked Mr. Pipes about the requirements for sample collection and analysis in order to deposit sediment at their site. Mr. Pipes suggested that they needed to see the list of EIGHT RCRA metals be analyzed on each sample. The number of samples would be based upon the length of the canals and from points that would be representative of the sediment in each canal, perhaps 22 samples at intervals of 500 feet. According to the proposed agreement, a sample collection and analysis plan will need to be drafted and approved by HWSD before depositing material. Some discussion ensued regarding this issue between Board members, Mr. Pipes, and Mr. Wagner for all to understand.

As such, 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 at some point in the near future.

6. Update on efforts to secure 12% City cost share of dredging and include the 12% cost share in the 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 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.)).

At the 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. For this August meeting, PRAudenbush provided an update that was similar to the update at the July meeting except that our push into the COJ's budget process might have been too late and that the push may have to be made early next year to make it into the process then.

7. Amend the budget for FY 2019/2020 to reflect the assessment increase to \$950.00. KWright asked for any discussion on this item and whether there are any other items that might require adjustments. Minor discussion came up on some items but no other adjustments were suggested.

**MOTION:** To amend the FY 2019/202 budget to reflect the increase of the annual assessment, by \$100.00 to \$950.00, by KWright.

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

8. New Business. PRAudenbush suggested that the District may run into some technical difficulties regarding the website and the current provider. It may involve migrating to a new host provider, involve new associated costs, and may need to be addressed soon.

### ***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 1854 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:

September 11, 2019 [CANCELLED] October 9, 2019 November 13, 2019

December 11, 2019