

**HARBOUR WATERWAY**  
**SPECIAL DISTRICT**  
*Agenda*

Tuesday  
June 9, 2015  
7:00 pm

Resurrection Episcopal Church  
12355 Fort Caroline Rd.  
Jacksonville, FL. 32225

- I. Introduction**
  - a. Call to Order
  - b. Roll Call / Quorum
  
- II. Administrative**
  - a. Approval of Minutes
    - i. Minutes from April 14, 2015*
  
- III. District Business**
  - a. Oath of Office - Board Seat 1
  - b. Ordinance 2015-233-E Amendment Passed City Council 05/12/15
    - i. Establish dock & bulkhead regulations*
  - c. End of Fiscal Year 2014 / 2015
    - i. Annual Audit*
    - ii. Publish Meeting Schedule for FY 2015 / 2016*
  - d. FASD – “New Member Reception”; Sawgrass Mariott – Gallery Room; Monday, June 22, 2015 @ 5:00-6:00 PM
  - e. Form 1 – Supervisor of Elections \_ Due July 1st
  - f. Spoil Site Procurement – Reed Island
  
- IV. Financial**
  - a. 2015 Non-Ad Valorem Assessment
  - b. 2014 Non-Ad Valorem Assessment - Status
  - c. Principal & Interest Due May 1 on 2012 & 2013 Series Bonds - Paid
  - d. Approval to disburse funds
  
- V. District Schedule**
  - a. Next Scheduled Board Meeting
    - i. July 14, 2015 – Resurrection Episcopal Church*
  
- VI. Other Business**
  - a. Legal and Compliance Issues
  
- VII. Comments and Questions from Audience**
  
- VIII. Adjournment of HWSO Meeting**

# HARBOUR WATERWAY SPECIAL DISTRICT

TUESDAY, JUNE 9, 2015

MEETING MINUTES

## Introduction

The Harbour Waterway Special District (HWSD) meeting of the Board of Supervisors was held at the Resurrection Episcopal Church on June 9, 2015. The meeting was called to order at 7:00 PM by Robert Birtalan. In attendance were Robert Birtalan, Robert Schleef and Stanley Pipes. It was noted that there was a quorum present. HWSD Attorney Wayne Flowers was present. Kathryn Boucher was present as recording secretary.

## Administrative

Approval of Minutes from April 14, 2014 – Motion made to approve the minutes as written; motion passed. HWSD meeting on May 12 was cancelled.

## District Business

Oath of Office – Board Seat 1 – Lindsey Brock was sent the oath and should return it notarized. He cannot officially vote until the oath is taken. He was not present at the meeting.

Ordinance 2015-233-E Amendment Passed City Council 5/12/15 – The official ordinance was presented to the board. The ordinance was reviewed by three city committees and passed with a unanimous vote at each committee.

Establish dock & bulkhead regulations – The rules that the HWA Board has used to approve docks and bulkheads were compiled and presented to the board as a starting point for discussion. The commonly used terms and standards need to be defined and adopted by the board for future use. It was proposed that existing structures will be grandfathered in, but future renovations will require board approval and will comply with any regulations. Restrictions during dredging operations should also be addressed. Once adopted, the rules and regulations will be published and available to the public.

End of Fiscal Year 2014 / 2015 - Annual Audit – Coming due soon.

Publish Meeting Schedule for FY 2015/2016 – All the monthly meetings will be held on the second Tuesday of each month. Meetings are scheduled for every month, but may be cancelled as lack of business to discuss dictates. No objections were made to the schedule.

The Florida Association of Special Districts will be holding their annual conference in Jacksonville this month. "FASD New Member Reception"; Sawgrass Marriott – Gallery Room; Monday, June 22, 2015 @ 5:00 – 6:00 PM –. HWSD Attorney Wayne Flowers will be in attendance.

Form 1 – Supervisor of Elections – Due July 1<sup>st</sup> - Board members were reminded to turn in their form.

Spoil Site Procurement – Reed Island – This issue will be picked up following the upcoming City Council elections.

### Financial

2015 Non-Ad Valorem Assessment – The tax roll has been prepared and is being reviewed. It must be returned to the tax collector by August 1<sup>st</sup>. No changes to the assessments are planned.

2014 Non-Ad Valorem Assessment – Status – 99.3% of funds have been collected, for a total distribution of \$199,197.49. Two easement properties have not yet paid.

Principal & Interest Due May 1 on 2012 & 2013 Series Bonds – Paid – Series 2012 amount due \$71,976.00 was paid. Series 2013 amount due \$66,933.59 was paid. Interest will come due again in November.

Approval to disburse funds – \$83,203.65 remains in the BB&T checking account as disposable funds. The 2015-2016 annual budget was approved by the city. Motion made to approve disbursements for web hosting, administrative, and legal fees, totaling \$1,949.00; motion carried.

### District Schedule

Next Scheduled Board Meeting – The next meeting will be July 14, 2015 at Resurrection Episcopal Church. This will include a public hearing for the 2015 Non-Ad Valorem Assessment.

### Other Business

Legal and Compliance Issues – The submission and approval process for docks should be defined in the Waterway Rules & Regulations.

Isle of Palms is also represented by HWSD attorney Wayne Flowers. The board approved that Wayne may share information about the HWSD and the new ordinance with their board.

The intention to transfer the duties of the HWA to the HWSD was discussed, and the conscientious was to transfer the responsibilities as soon as possible. The HWA has limited financial resources without a source of revenue.


Comments and Questions from the Audience

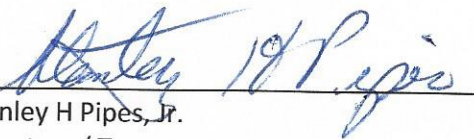
No members of the public were present.

Adjournment

The meeting was adjourned at 7:36 PM. The next monthly Board of Supervisors meeting is scheduled for July 14, 2015.

Respectfully submitted,

  
Kathryn Boucher  
Recording Secretary

  
Stanley H Pipes, Jr.  
Secretary / Treasurer

1 Introduced by Council President Yarborough:  
2  
3

4 **ORDINANCE 2015-233-E**

5 AN ORDINANCE AMENDING ORDINANCE 2010-725-E  
6 THAT ESTABLISHED AND EMPOWERED THE HARBOUR  
7 WATERWAY SPECIAL DISTRICT (THE "DISTRICT") BY  
8 AMENDING THE STATED PURPOSE OF THE DISTRICT;  
9 PROVIDING FOR THE ADOPTION OF DISTRICT RULES  
10 PROVIDING AN EFFECTIVE DATE.  
11

12 **WHEREAS**, Ordinance 2010-725-E created and empowered the  
13 Harbour Waterway Special District in accordance with Section  
14 189.4041, *Ordinance Code*; and

15 **WHEREAS**, the City Council would like to continue maintenance  
16 of the system of canals located in The Harbour neighborhood,  
17 Harbour North neighborhood, Harbour Cay neighborhood and Harbour  
18 Island neighborhood; now therefore

19 **BE IT ORDAINED** by the Council of the City of Jacksonville:

20 **Section 1. Ordinance 2010-725-E amended.** Ordinance 2010-  
21 725-E, Sections 1, is amended in part, and as amended shall read as  
22 follows:

23 \* \* \*

24 "Section 2. Purpose. The purpose of the District shall  
25 be continuing maintenance of the system of canals located in  
26 The Harbour neighborhood, Harbour North neighborhood, Harbour  
27 Cay neighborhood, and Harbour Island neighborhood. The  
28 District shall fulfill its purpose by dredging the canals,  
29 dredging the channel that provides the canals with access to  
30 the St. Johns River, maintaining a jetty, and maintaining  
31 navigational aids. To facilitate dredging the canals, the

1 District may also enforce standards for docks and other  
2 structures located in the canals, and activities in the canals  
3 when dredging is ongoing.

4 \* \* \*

5 Section 4. Powers. The District is authorized and  
6 empowered:

7 (A) To sue and be sued;

8 (B) To contract;

9 (C) To purchase, hold, lease, sell, or otherwise  
10 acquire and convey such real property and personal property  
11 and interest therein as may be necessary or proper to carry  
12 out the purpose of this Charter;

13 (D) To employ engineers, attorneys, accountants,  
14 financial or other consultants, and such other agents and  
15 employees as the Board of Supervisors may require or deem  
16 necessary to accomplish the purpose of this Charter, or to  
17 contract for any such services;

18 (E) To acquire, construct, maintain, equip,  
19 improve, extend and enlarge capital projects for the purposes  
20 of enabling the District to perform public functions or  
21 services as herein provided;

22 (F) To borrow money for the purposes of enabling  
23 the District to perform public functions or services as herein  
24 provided;

25 (G) To assess for each year of its operation against  
26 each residential lot and each parcel with a canal access  
27 easement in the District a special assessment not to exceed  
28 \$2,000, and each parcel used for a marina a special assessment  
29 not to exceed \$4,000, to be billed and collected as provided  
30 by state and local law, and to be a lien on the assessed  
31 property, coequal with the lien of all state, county, district

1 and municipal taxes, and superior in dignity to all other  
2 liens, titles and claims, until paid in full;

3 (H) To fix and collect rates, fees, and other  
4 charges for the specialized public functions or services  
5 authorized by this act;

6 (I) To restrain, enjoin, or otherwise prevent the  
7 violation of this act or any resolution or rule adopted  
8 pursuant to the powers granted by this act;

9 (J) To join with any other district, municipality,  
10 county or political subdivision, public agency or authority in  
11 the exercise of common powers;

12 (K) To enter into contracts with government of the  
13 United States or any agency or instrumentality thereof, or  
14 with any state, county, municipality, district, authority or  
15 political subdivision, private corporation, partnership,  
16 association, or individual to effect the purpose of this act,  
17 and to receive and accept from any federal agency, grants or  
18 loans for or in aid of the specialized public functions or  
19 services authorized herein.

20 (L) To adopt rules, as further described in  
21 Section 5 below, regarding control over structures and  
22 activities within the canals that affect the ability of the  
23 District to dredge and otherwise maintain the canals.

24 \* \* \*

25 Section 5. (1) To facilitate and implement the  
26 District's authority to dredge and maintain the canals within  
27 the District, the District is authorized to adopt rules  
28 regulating and controlling structures and activities within  
29 and adjacent to the canals including the following:

30 (A) Establishing standards for dimensions of docks,  
31 including floating docks and any other structures proposed for

1 location adjacent, in on or over the canals;

2 (B) Establishing standards for location of docks  
3 and any other structures, including fixed docks, floating  
4 docks and bulkheads proposed for location adjacent, in on, or  
5 over the canals, relative to the shoreline or relative to  
6 existing bulkheads;

7 (C) Establishing a process for review of and  
8 approval of construction plans for docks, and any other  
9 structures, including fixed docks, floating docks and  
10 bulkheads proposed for location adjacent, in on or over the  
11 canals;

12 (D) Providing for removal of sunken vessels or  
13 debris from damaged docks, bulkheads or other debris from the  
14 canals;

15 (E) Prohibiting encroachment into the canals by  
16 fill or other construction activities;

17 (2) The District may accept delegation of  
18 responsibility for enforcement of any existing, recorded  
19 restrictive covenants establishing restrictions on  
20 construction in or use of the canals that are now administered  
21 by the Harbour Waterway Association, Inc. and other homeowner  
22 associations within the District.

23 (3) The District may perform modifications,  
24 repairs, maintenance and/or demolition of docks or other  
25 structures built in, on or over the canals when such  
26 structures are determined by the District to be non-compliant  
27 with the regulations adopted under this Section. Where the  
28 District performs such activities, the owner of the non-  
29 compliant structure(s) shall bear the cost of the activity."

30 \* \* \*

31 Section 56. Fiscal Year and Budget.



1 \* \* \*

2 Section 67. Audit.

3 \* \* \*

4 Section 78. Noticing and Reporting Requirements.

5 \* \* \*

6 Section 89. Comprehensive Plan. The formation of the  
7 District and its purposes are consistent with the approved  
8 Comprehensive Plan of the City of Jacksonville."

9 **Section 2. Retroactive applicability.** This ordinance  
10 shall be retroactive in application so that the amendment adopted  
11 herein shall be effective as if it were contained in the original  
12 enabling Ordinance 2010-725-E.

13 **Section 3. All other aspects of Ordinance 2010-725-E**  
14 **unchanged.** With the exception of Section 1 of this ordinance, in all  
15 other respects Ordinance 2010-725-E shall remain unchanged and in  
16 full force and effect.

17 **Section 4. Effective Date.** This ordinance shall  
18 become effective upon signature by the Mayor, or upon becoming  
19 effective without the Mayor's signature.

20  
21 Form Approved:

22  
23 \_\_\_\_\_  
24 Office of General Counsel

25 Legislation prepared by: Jody L. Brooks

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# HARBOUR WATERWAY SPECIAL DISTRICT

## MEETING SCHEDULE : FY 2015 / 2016

Wednesday, July 01, 2015	Beginning of 2015 / 2016 Fiscal Year Joy Miller, CPA - Annual Audit	
Tuesday, July 14, 2015	<b>Monthly Board of Supervisor Meeting</b> <b>Public Hearing - 2015 Non-Ad Valorem Assessment</b> Annual report of 2014/2015 FY Minutes due to the City Council	Resurrection Episcopal Room - Parish Hall 7:00 pm to 9:00 pm
Saturday, August 01, 2015	Tax Roll Due to Property Appraiser	
Tuesday, August 11, 2015	<b>Monthly Board of Supervisor Meeting</b>	Resurrection Episcopal Room - Parish Hall 7:00 pm to 9:00 pm
Monday, August 31, 2015	Annual audit due to the City Council	
Tuesday, September 08, 2015	<b>Monthly Board of Supervisor Meeting</b>	Resurrection Episcopal Room - Parish Hall 7:00 pm to 9:00 pm
Wednesday, September 30, 2015	End of Fiscal Year for State of Florida Auditor General	
Tuesday, October 13, 2015	<b>Monthly Board of Supervisor Meeting</b>	Resurrection Episcopal Room - Parish Hall 7:00 pm to 9:00 pm
Saturday, October 31, 2015	Property Appraiser will send tax roll to the Tax Collector File annual audit with the Florida State Auditor General	
Sunday, November 01, 2015	Interest & Principal due on Series 2012 & 2013 Revenue Note	
Tuesday, November 10, 2015	<b>Monthly Board of Supervisor Meeting</b>	Resurrection Episcopal Room - Parish Hall 7:00 pm to 9:00 pm
Tuesday, December 08, 2015	<b>Monthly Board of Supervisor Meeting</b>	Resurrection Episcopal Room - Parish Hall 7:00 pm to 9:00 pm
Tuesday, January 12, 2016	<b>Monthly Board of Supervisor Meeting</b>	Resurrection Episcopal Room - Parish Hall 7:00 pm to 9:00 pm
Tuesday, February 09, 2016	<b>Monthly Board of Supervisor Meeting</b>	Resurrection Episcopal Room - Parish Hall 7:00 pm to 9:00 pm
Tuesday, March 08, 2016	<b>Monthly Board of Supervisor Meeting</b> Approve Annual Budget for Fiscal Year 2016 / 2017	Resurrection Episcopal Room - Parish Hall 7:00 pm to 9:00 pm
Thursday, March 31, 2016	Deadline to submit Annual Budget with City Council	
Tuesday, April 12, 2016	<b>Monthly Board of Supervisor Meeting</b>	Resurrection Episcopal Room - Parish Hall 7:00 pm to 9:00 pm
Tuesday, May 10, 2016	<b>Monthly Board of Supervisor Meeting</b>	Resurrection Episcopal Room - Parish Hall 7:00 pm to 9:00 pm
Wednesday, June 01, 2016	Property Appraiser provides tax roll to the district	
Tuesday, June 07, 2016	<b>Monthly Board of Supervisor Meeting</b> Publish Meeting Schedule - FY 2016 / 2017	Resurrection Episcopal Room - Parish Hall 7:00 pm to 9:00 pm
Wednesday, June 15, 2016	Publish Notice of Meeting for 2016 non-ad valorem assessment	
Thursday, June 30, 2016	End of Fiscal Year	
Tuesday, July 12, 2016	<b>Monthly Board of Supervisor Meeting</b> <b>Public Hearing - 2016 Non-Ad Valorem Assessment</b>	Resurrection Episcopal Room - Parish Hall 7:00 pm to 9:00 pm

# HARBOUR WATERWAY SPECIAL DISTRICT 2014 NON-AD VALOREM ASSESSMENT - DISTRIBUTION REPORT

5/1/2015

DATE	GROSS TAX	EARLY PAYMENT DISCOUNT	NET TAX	TC FEE	PA FEE	DISTRIBUTION
<b><u>NOVEMBER</u></b>						
1 - 7	6,504.04	(255.12)	6,248.92	(124.98)	(93.73)	6,030.21
8 - 18	40,000.00	(1,600.00)	38,400.00	(768.00)	(576.00)	37,056.00
19 - 30	99,000.00	(3,960.00)	95,040.00	(1,900.80)	(1,425.60)	91,713.60
<b><u>DECEMBER</u></b>						
1 - 9	16,111.85	(643.36)	15,468.49	(309.37)	(232.03)	14,927.09
10 - 17	2,000.00	(80.00)	1,920.00	(38.40)	(28.80)	1,852.80
18 - 26	4,285.04	(148.91)	4,136.13	(82.72)	(62.04)	3,991.37
27 - 31	4,000.00	(120.00)	3,880.00	(77.60)	(58.20)	3,744.20
<b><u>JANUARY</u></b>						
1 - 14	13,008.03	(315.12)	12,692.91	(253.86)	(190.39)	12,248.66
15 - 31	8,000.00	(160.00)	7,840.00	(156.80)	(117.60)	7,565.60
<b><u>February</u></b>						
1 - 18	4,111.85	(60.00)	4,051.85	(81.04)	(60.78)	3,910.03
19 - 28	No Collections	-	-	-	-	-
<b><u>March</u></b>						
1 - 17	2,000.00	-	2,000.00	(40.00)	(30.00)	1,930.00
18 - 31	4,000.00	-	4,000.00	(80.00)	(60.00)	3,859.99
<b><u>April</u></b>						
1 - 14	6,503.99	120.00	6,623.99	(132.48)	(99.36)	6,392.15
15 - 30	4,000.00	120.00	4,120.00	(82.40)	(61.80)	3,975.80
<b><u>May</u></b>						
1 - 31	No Collections	-	-	-	-	-
<b><u>June</u></b>						
1 - 30	No Collections	-	-	-	-	-
<i>Unpaid Assessments</i>						
	1,475.20	44.26	1,519.46	(30.39)	(22.79)	(Projected) 1,466.28
<b>TOTAL DISTRIBUTIONS</b>						
	213,524.80	(7,102.51)	206,422.29	(4,128.45)	(3,096.33)	\$ 199,197.49
<b>% Collected</b>						
	99.3%					
<b>TOTAL TAX BILLED</b>						
	215,000.00					

# HARBOUR WATERWAY SPECIAL DISTRICT

Motion to Disburse Funds:

Tuesday, June 09, 2015

Date	Num	Description	Memo	Amount
<b>CURRENT ASSETS</b>				
3/31/2015		<b>BB&amp;T CHECKING ACCOUNT</b>	<b>BEGINNING BALANCE</b>	<b>\$ 220,326.93</b>
		TOTAL DEPOSITS	April 1 - May 31	14,227.95
<b>TOTAL CURRENT ASSETS</b>				<b>\$ 234,554.88</b>
<b>DISBURSEMENTS</b>				
4/14/2015	1116	Resurrection Episcopal Church	HWSD - Meeting Place	(75.00)
4/14/2015	1117	Kathryn Boucher	HWSD - Administrative Services (March)	(100.00)
4/14/2015	1118	Lewis Longman & Walker	HWSD - Legal Services (March)	(375.00)
5/8/2015	1120	Stanley Pipes	HWSD - Legal Notice & Navigational Sign (Day Marker #10)	(185.24)
5/1/2015		Revenue Notes - Interest & Principal	Series 2012	(71,976.00)
5/1/2015		Revenue Notes - Interest & Principal	Series 2013	(66,933.59)
<b>DISBURSEMENTS - SubTotal</b>				<b>(139,644.83)</b>
<b>5/31/2015</b>				<b>TOTAL ENDING BALANCE \$ 94,910.05</b>
<b>OUTSTANDING DISBURSEMENTS</b>				
<b>REQUESTED DISBURSEMENTS</b>				
6/9/2015		Resurrection Episcopal Church	HWSD - Meeting Place (April & May)	(150.00)
6/9/2015		Kathryn Boucher	HWSD - Administrative Services (April & May)	(150.00)
6/9/2015		Lewis Longman & Walker	HWSD - Legal Services (April & May)	(649.00)
6/30/2015		William Hibbard	HWSD - Web Hosting Services	(150.00)
6/30/2015		Lewis Longman & Walker	HWSD - Legal Services (June)	(750.00)
6/30/2015		Kathryn Boucher	HWSD_ Administrative Services (June)	(100.00)
<b>TOTAL REQUESTED DISBURSEMENT:</b>				<b>\$ (1,949.00)</b>
<b>PROJECTED DEBT SERVICE</b>				
11/1/2015		Revenue Notes - Interest Payment	Series 2012 & 2013	(9,757.40)
<b>PROJECTED DEBT SERVICE EXPENSE:</b>				<b>\$ (9,757.40)</b>
<b>TOTAL HWSD DISPOSABLE FUNDS</b>				
<b>BB&amp;T CHECKING ACCOUNT</b>		<b>ENDING BALANCE after DISBURSEMENTS &amp; DEBT SERVICE</b>		<b>\$ 83,203.65</b>