

**HARBOUR WATERWAY
SPECIAL DISTRICT
Agenda**

Tuesday
May 7, 2019
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 9, 2019*

III. District Business

- a. Reed Island Spoil Site
 - i. Reed Island - City Of Jacksonville Parcel*
 - ii. FDEP permitting - approved*
 - iii. Parcels adjacent to HWSD property*
- b. Spoil Site License Agreement
 - i. Brance Diversified / Reed Island Management – 300,000 cubic yards
Resolution 2019-11 Reed Island Management License Agreement*
 - ii. Isle of Palms – 300,000 cubic yards*
- c. Waterway Rules & Regulations
 - i. 4418 Beacon Dr. W. – dock & boat lift*
 - ii. 4449 Harbour North Court – trees overhanging canal*
- d. Revised Procedure Manual – Resolution 2019-12
- e. 2019 Dredging Project – Start date on or before November 1, 2019
 - i. 2019 Dredging Bid Package*

IV. Financial

- a. HWSD 2018 non-Ad Valorem Assessment
- b. Approval to disburse funds

V. District Schedule

- a. Next Scheduled Board Meeting
 - i. June 11, 2019 – Resurrection Episcopal Church*

VI. Other Business

- a. Legal and Compliance Issues

VII. Comments and Questions from Audience

VIII. Adjournment of HWSD Meeting

HARBOUR WATERWAY SPECIAL DISTRICT

Meeting Minutes

Tuesday, May 7th, 2019

I. Introduction

The Harbour Waterway Special District (HSWD) meeting of the Board of supervisors was held at the Resurrection Episcopal Church on May 7, 2019. The meeting was called to order by Michael Levi. In attendance were Robert Birtalan, David Prysock, Michael Levi, Ricardo Fornos, and District Manager Stanley Pipes. Harbor Waterway attorney Wayne Flowers was present. It was noted that there was a quorum present. Caroline Birtalan was present as recording secretary.

II. Administrative

Approval of minutes from April 9, 2019 – Motion made to approve the minutes as written; motion passed.

III. District Business

Reed Island Spoil Site

Reed Island COJ parcel- Ordinance 2019-136 has been enacted and is official. Closing documents have been finalized and passed on to the Mayor for approval. All documents were hand delivered to the Office of General Council. The Office of General Council requested the exhibits for the ordinance be reproduced in black & white due to scanning limitations at the COJ. District Manager, Stanley Pipes, was able to correct the documents and return to the Office of General Council. The ordinance should be executed by the Mayor within the coming week.

FDEP- Stanley Pipes sent an email to Jim Maher, FDEP, for approval to pump up to 50,000 cubic yards into the spoil site, to allow Brance Diversified to begin using the spoil site per our license agreement. Jim Maher approved the request provided there is no outflow and the slurry does not exceed three feet inside the cell, then there will be no issues.

Parcels adjacent to HWSD property-Stanley Pipes met with the owner of the 14.65 acres to discuss the purchase agreement and the offer price. We are waiting for the landowner to respond to the offer.

Spoil Site Lease Agreement

Brance Diversified - Lance Young, CEO, Reed Island Management has offered to buy 300,000 cubic yards, a value of \$1.6 million. The terms are fifty percent down and then the rest will be paid in three equal payments over three years. They have agreed to clear and grub everything in the 44 acres of our spoil site for \$160,000. The Dredge Material Disposal License Agreement for Reed Island Management was reviewed page by page by the board and all exhibits were shown. A motion was made to approve Resolution 2019-11; Motion passed.

Isle of palms- A discussion was held regarding the dredging of Isle of Palms. Isle of Palms is still interested in using HWSD's spoil site but will pursue a license agreement closer to their dredge date.

Waterway Rules & Regulations

Stanley Pipes discussed and measured the dock and boat lift of 4418 Harbour Island Dr with the homeowners. Stanley Pipes presented documents to the board showing all the measurements of the dock and boat lift. It was concluded that the dock and boatlift are within the allowed regulations. A motion was made to approve the dock; motion passed.

Revised Procedure Manual

The updated Procedures Manual was reviewed page by page and all changes were explained thoroughly to the board. All questions, comments, and concerns regarding the updated manual were addressed and answered by the board and district manager. A motion was made to approve resolution 2019-12; motion passed.

2019 Dredge Project

Stanley Pipes has created a Maintenance Dredge Project Bid Package that is an updated version of the 2012 package that is on the website. Once we receive bids on the dredge then we will calculate an estimated cost for the dredge. A motion was made to approve putting out the bids; motion passed.

IV. Financial

HWSD 2018 non-Ad Valorem Assessment- An additional \$8,570.46 was received. 94.8% of the total 2018 assessment has been collected.

It was noted that F1 forms will be due in July.

Approval to disburse funds- A motion was made to approve the disbursements for meeting place, administrative, legal services, district manager, accounting consultant, purchase parcel 160265, and ring power Cat rentals totaling \$51,330.94; motion passed.

Ending balance after disbursements & Debt service is \$272,460.79.

V. District Schedule

Next scheduled Board Meeting- The next meeting is scheduled for June 11, 2019 at Resurrection Episcopal Church.

VI. Other Business

David Prysock asked the status of the barbed wire fence. Stanley Pipes explained that the fence will be ran from powerline to powerline. The cost of the fence will be \$9,000 and there is two years to install the fence.

VII. Comments and Questions

VIII. Adjournment

The meeting was adjourned at 8:47 PM. The next monthly Board of Supervisors Meeting is Scheduled for June 11, 2019.

Respectfully Submitted,



Caroline Birtalan

Recording Secretary



Robert P. Birtalan

Secretary / Treasurer

RESOLUTION NO. 2019-11

A RESOLUTION OF THE HARBOUR WATERWAY SPECIAL DISTRICT, DUVAL COUNTY, FLORIDA, APPROVING EXECUTION OF A LICENSE AGREEMENT WITH THE REED ISLAND MANAGEMENT, LLC. AND THE HARBOUR WATERWAY SPECIAL DISTRICT FOR DISPOSAL OF DREDGE MATERIAL; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors of the Harbour Waterway Special District (“District”), a dependant special district created by City of Jacksonville Ordinance No. 2010-725-E, has responsibility for continuing maintenance of the system of channels and canals (“Canals”) located within its geographic boundaries; and

WHEREAS, the Harbour Waterway Special District has purchased property from the Jacksonville Port Authority and the City of Jacksonville with a Dredge Material Management Area (DMMA) on site in order to defray costs associated with planned dredging projects; and

WHEREAS, the DMMA has excess capacity beyond the needs of the District and in order to generate revenue for the development of said DMMA, and conduct future maintenance projects in the Canals that is beneficial to members of the District; and

WHEREAS, Reed Island Management, LLC. (“RIM”), the Licensee, in connection with the dredging of canals and channels by dredging contractor(s) it does business with, wants to use a portion of the DMMA, solely for the purpose of depositing such excavated dirt, silt, sands, or rock removed from canals and channels by dredging contractor(s) it does business with into containment areas in the DMMA; and

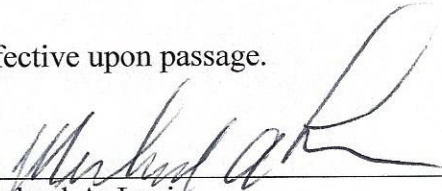
WHEREAS, the Licensee is able and willing to indemnify, defend and hold HWSD harmless from all loss, damages, claims, expenses and certain other conditions that may occur or expose HWSD to risk of loss as a direct or indirect result of Licensee’s use of the DMMA.

NOW THEREFORE BE IT RESOLVED by the Board of the District:

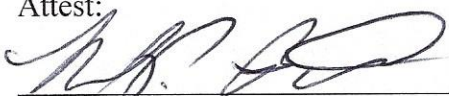
Section 1. The Chairman of the Board or the Secretary/Treasurer or the District Manager is authorized to negotiate and execute, on behalf of the District, the “Dredge Material Disposal License Agreement for Reed Island,” between the District and RIM, which is attached hereto as Exhibit “A.”

Section 2. This Resolution shall become effective upon passage.

Passed and Adopted this 7th day of May, 2019.



Michael A. Levi
Board Chair

Attest:


Robert P. Birtalan
Board Secretary

RESOLUTION NO. 2019-12

**A RESOLUTION OF THE HARBOUR WATERWAY SPECIAL DISTRICT,
DUVAL COUNTY, FLORIDA, ADOPTING THE HARBOUR WATERWAY
SPECIAL DISTRICT PROCEDURES MANUAL; PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, the Harbour Waterway Special District (“HWSD”), was established through City of Jacksonville Ordinance No. 2010-725-E (“Ordinance”) and given responsibility therein for maintenance of the system of canals located within the boundaries of the HWSD ; and

WHEREAS, the Board of Supervisors (“Board”) of the HWSD has determined that adoption of a revised Procedures Manual to provide direction and guidance to the Board regarding procedures to be followed in conducting its business and its meetings would be beneficial for the Board and for residents of the HWSD; and

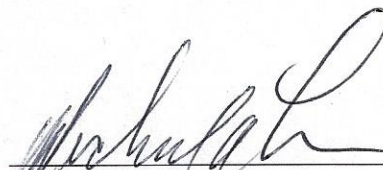
WHEREAS, the Board of the HWSD wishes to ratify all prior actions and motions including but not limited to resolutions listed in Exhibit “A” taken by the Board during the course of conducting its business and its meetings that were enacted for the benefit of the HWSD.

NOW THEREFORE, BE IT RESOLVED by the Board of the HWSD:

Section 1. The Board hereby adopts the revised Procedures Manual attached hereto as Exhibit “B” as its Procedures Manual, to be utilized by the Board in the conduct of HWSD business and HWSD Board meetings.


Section 3. This Resolution shall become effective upon adoption.

Passed and Adopted this 7th day of May, 2019.



Michael A. Levi
Board Chair

Attest:



Robert P. Birtalan
Board Secretary

EXHIBIT "A"

HWSD BOARD RESOLUTIONS:

- Resolution 11-01, Election of Chairman
- Resolution 11-02, Election of Vice-Chairman
- Resolution 11-03, Election of Secretary - Treasury
- Resolution 11-04, Election of Recording Secretary (Tabled)
- Resolution 11-05, Registered Agent
- Resolution 11-06, Annual Budget
- Resolution 12-07, Election of Recording Secretary
- Resolution 12-01, Intention to Use Uniform Method (00056816)
- Resolution 12-02, Approving Interlocal Ag with PA and TC (00067176)
- Resolution 12-03, Dredge Mat Disposal Agreement with JPA and Association (00067189)
- Resolution 12-04, Adopting Proposed Assessment for Advertising Purposes (00069749)
- Resolution 12-05, Annual Budget fV2012-2013
- Resolution 12-06, Adopting 2012 Non-Ad Valorem Roll (00107650)
- Resolution 12-07, Approving Contract with ARC for Surveying (00148071)
- Resolution 12-08, Approving Revenue Note 2013 Series (00719411-4)
- Resolution 12-09, Contract with Miner for Audit Services (00154550)
- Resolution 12-10, Approving FY 2012-2013 Budget (00154974)
- Resolution 12-11, Approving: Dredge America Contract (Withdrawn - 13-04)
- Resolution 13-01, Election of Chairman
- Resolution 13-02, Election of Vice-Chairman
- Resolution 13-03, Election of Secretary - Treasury
- Resolution 13-04, Approving Dredge America Contract
- Resolution 13-05, Approving Procedures Manual (00173995)
- Resolution 13-06, Annual Budget FY2013-2014
- Resolution 13-07, FY2013-14 Resolution Adopting Roll and Assessment (00211426)
- Resolution 13-08, 2013 Resolution Authorizing Repayment of 11 K to HWA (00211402)
- Resolution 14-01, Annual Budget FY2014-2015
- Resolution 14-02, Contract with Miller for Audit Services
- Resolution 14-03, FY2014-15 Resolution Adopting Roll and Assessment
- Resolution 15-01, Election of Chairman
- Resolution 15-02, Election of Vice-Chairman
- Resolution 15-03, Election of Secretary - Treasury
- Resolution 15-04, Contract with Miller for Audit Services
- Resolution 15-05, Annual Budget FY2015-2016
- Resolution 15-06, Board of Supervisor (Seat 1)
- Resolution 15-07, FY2015-16 Resolution Adopting Roll and Assessment
- Resolution 15-08, Approving Waterway Regulations
- Resolution 16-01, Annual Budget FY2016-2017
- Resolution 16-02, Assignment of Sovereign Submerged Land Easement

Resolution 16-03, FY2016 Resolution Adopting Roll and Assessment
Resolution 16-04, Agreement with JaxPort to Purchase Property on Reed Island
Resolution 17-01, Annual Budget FY2017-2018
Resolution 17-02, FY 2017 Resolution Adopting Roll and Assessment
Resolution 17-03, Contract with Robert Thaggard for Audit Services
Resolution 17-04, Board of Supervisor (Seat 2) Mike Levi
Resolution 18-01, Closing Documents with JaxPort to Purchase Property on Reed Island
Resolution 18-02, Approving Revenue Note 2018
Resolution 18-03, Annual Budget FY2018-2019
Resolution 18-04, Board of Supervisor (Seat 4) David Prysock
Resolution 18-05, FY2018 Resolution Adopting Roll and Assessment
Resolution 18-06, Agreement with COJ to Purchase Property on Reed island
Resolution 18-07, Closing Documents with COJ to Purchase Property on Reed Island
Resolution 19-01, Board of Supervisor (Seat 5) Ricardo Fornos
Resolution 19-02, Election of Chairman
Resolution 19-03, Election of Vice-Chairman
Resolution 19-04, Election of Secretary - Treasury
Resolution 19-05, District Manager, Registered Agent, Assistant Secretary - Treasurer
Resolution 19-06, Closing Documents with COJ to Purchase Property on Reed Island
Resolution 19-07, Purchase Property adjacent to Reed Island
Resolution 19-08, Purchase COJ Parcel 160265
Resolution 19-09, Closing Documents with COJ to Purchase Property on Reed Island
Resolution 19-10, Annual Budget FY2019-2020

HARBOUR WATERWAY SPECIAL DISTRICT

2018 NON-AD VALOREM ASSESSMENT - DISTRIBUTION REPORT

5/7/2019

DATE	GROSS TAX	EARLY PAYMENT DISCOUNT	NET TAX	TC FEE	PA FEE	DISTRIBUTION
NOVEMBER						
1 - 09	18,000.00	(720.00)	17,280.00	(345.60)	(259.20)	16,675.20
10 - 19	14,504.01	(575.12)	13,928.89	(278.58)	(208.93)	13,441.38
20 - 30	125,500.00	(5,020.00)	120,480.00	(2,409.60)	(1,807.20)	116,263.20
DECEMBER						
1 - 07	16,504.01	(640.00)	15,864.01	(317.28)	(237.96)	15,308.77
08 - 17	9,630.13	(278.79)	9,351.34	(187.03)	(140.27)	9,024.04
18 - 31	4,504.11	(135.12)	4,368.99	(87.38)	(65.53)	4,216.08
JANUARY						
1 - 15	2,000.00	(40.00)	1,960.00	(39.20)	(29.40)	1,891.40
16 - 31	2,000.00	(40.00)	1,960.00	(39.20)	(29.40)	1,891.40
February						
1 - 12	N / A					
13 - 28	2,000.00	(20.00)	1,980.00	(39.60)	(29.70)	1,910.70
March						
1 - 15	504.11	-	504.11	(10.08)	(7.56)	486.47
16 - 31	4,761.31	-	4,761.31	(42.53)	(31.89)	4,686.89
April						
1 - 15	4,000.00	120.00	4,120.00	(135.10)	(101.33)	3,883.57
16 - 30						
May						
1 - 31						
June						
1 - 15						
July - August						
1 - 31						
September						
1 - 30						
<i>Unpaid Assessments</i>	11,092.32					
TOTAL DISTRIBUTION:	203,907.68	(7,349.03)	196,558.65	(3,931.18)	(2,948.38)	\$ 189,679.09
% Collected	94.8%					
TOTAL TAX BILLED	215,000.00					

HARBOUR WATERWAY SPECIAL DISTRICT

Motion to Disburse Funds:

Tuesday, May 7, 2019

Date	Num	Description	Memo	Amount
CURRENT ASSETS				
3/31/2019		BB&T CHECKING ACCOUNT	BEGINNING BALANCE	\$ 458,190.34
		TAX DEPOSITS	April 1 - 30	8,570.46
TOTAL CURRENT ASSETS				\$ 466,760.80
CLEARED DISBURSEMENTS				
3/25/2019	1292	Resurrection Episcopal Church	HWSD - Meeting Place (March 12 & 25)	(200.00)
4/9/2019	1298	Resurrection Episcopal Church	HWSD - Meeting Place (April 9)	(100.00)
4/9/2019	1296	Caroline Birtalan	HWSD - Administrative Services (March 25)	(150.00)
4/9/2019	1297	Lewis Longman & Walker	HWSD - Legal Services (March Billing)	(1,975.00)
4/12/2019	Direct Dep	Stanley Pipes	HWSD - District Manager 32.5 hrs - (March billing)	(2,707.37)
4/22/2019	1299	Mark A Koenig, PLA	HWSD - Prepare B&W Closing Exhibits for COJ parcel	(300.00)
4/23/2019	1301	Lewis Longman & Walker Trust	HWSD - Purchase of 44 acre COJ Parcel	(88,867.50)
4/30/2019	Debit	IRS ACH USA Taxpayment	HWSD - Federal income tax withholding - 1st qtr	(1,800.20)
4/30/2019	Debit	FLA Debt of Revenue ACH	HWSD - Florida unemployment tax - 1st qtr	(189.00)
4/30/2019	Debit	IRS ACH USA Taxpayment	HWSD - Medicare Withholding Tax - 1st qtr	(42.00)
4/30/2019	Debit	BB&T Government Services	HWSD - 2018 Revenue Note payment	(56,958.90)
DISBURSEMENTS - SubTotal				(153,289.97)
TOTAL ENDING BALANCE				\$ 313,470.83
OUTSTANDING DISBURSEMENTS / DEPOSITS				
				SubTotal
				-
REQUESTED DISBURSEMENTS				
5/7/2019		Resurrection Episcopal Church	HWSD - Meeting Place (May 7)	(100.00)
5/7/2019		Caroline Birtalan	HWSD - Administrative Services (April 9)	(150.00)
5/7/2019		Lewis Longman & Walker	HWSD - Legal Services (April Billing)	(5,486.00)
5/7/2019		Stanley Pipes	HWSD - District Manager 54.75 hrs - (April billing)	(5,475.00)
5/7/2019		Accountant	HWSD - Accounting Consulting Services	(1,500.00)
5/7/2019		Stanley Pipes	HWSD - Web Hosting 2nd Qtr & 3rd Qtr	(119.94)
5/7/2019		Tirhas Berhane Gebremedhin	Purchase Parcel 160265 (\$13,000) plus closing costs	(13,500.00)
5/7/2019		Ring Power Cat Rentals / Temp Labor	Cat 308 excavator & other equipment for COJ Park	(25,000.00)
TOTAL REQUESTED DISBURSEMENT:				\$ (51,330.94)
BALANCE SUBTOTAL				\$ 262,139.89
PROJECTED REVENUE FROM 2018 ASSESSMENT				\$ 10,320.91
2018 Assessment Collected as of 4-30-2019		\$	189,679	
PROJECTED DEBT SERVICE				
5/1/2020		Interest Payment	Series 2018 Revenue Note - (Not due until after 2019 assessment)	
5/1/2020		Principal Payment	Series 2018 Revenue Note - (Not due until after 2019 assessment)	
DEBT SERVICE EXPENSE:				\$ -
TOTAL HWSD DISPOSABLE FUNDS				
BB&T CHECKING ACCOUNT		ENDING BALANCE after DISBURSEMENTS & DEBT SERVICE		\$ 272,460.79