

HARBOUR WATERWAY
SPECIAL DISTRICT
Agenda

Tuesday
April 14, 2020
7:00 pm

Conference Call
904-549-7655
Pass Code: 4366 8730#

- I. Introduction**
 - a. Call to Order
 - b. Roll Call / Quorum

- II. Administrative**
 - a. Approval of Minutes
 - i. Minutes from March 10, 2020*

- III. District Business**
 - a. Reed Island Spoil Site
 - i. Reed Island – COJ Park Development*
 - ii. Tamarix Survey*
 - iii. SJLE Easement and Dredging Agreement*
 - iv. Add Parcels adjacent to canal system to District;*
 - b. Spoil Site License Agreement
 - i. RIM – Spoil Site Development – Final Phase Complete*
 - ii. Isle of Palms – License Agreement Executed*
 - c. Waterway Rules & Regulations
 - i. 4449 Harbour N Ct; Wayne & Theresa Delucia*
 - ii. 4305 Harbour Island Dr., Cheryl Boney*
 - iii. Dock and boat lift repairs – Top Dog Construction*

- IV. Financial**
 - a. HWSD 2019 non-Ad Valorem Assessment – Update
 - b. HWSD 2018 non-Ad Valorem Rebate – Update
 - c. HWSD FY 2020-21 Budget – Submitted to COJ
 - d. Resolution 2020-06 – Request for 12% matching funds from COJ
 - e. Approval to disburse funds

- V. District Schedule**
 - a. Next Scheduled Board Meeting
 - i. May 12, 2020 – 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, April 14, 2020

I. Introduction

The Harbour Waterway Special District (HSWD) meeting of the Board of supervisors was held via teleconference on April 14, 2020. The meeting was called to order at 7:01pm. In attendance were Ricardo Fornos, Robert Birtalan, Mark Todd, David Prysock, Wally Lovely and District Manager Stanley Pipes. It was noted that there was a quorum present. Harbour Waterway attorney Wayne Flowers was present. Caroline Birtalan was present as recording secretary.

II. Administrative

Approval of minutes from March 10, 2020 – Motion made to approve the minutes as written; motion Carried.

III. District Business

Reed Island Spoil Site- The second phase of dirt work has been completed. Drains have been installed along the roadway of the spoil site to help prevent erosion. Florida Carter Corporation collected soil samples from the levees at the spoil site to perform soil test for the upcoming hydra-seed project. A pond has been dug adjacent to the spoil site as a source of fresh water for irrigation and wildlife. Based on the COJ purchase agreement, a fence will be installed along the powerlines to separate the COJ's nature park from the spoil site. HWSO will begin the process of eradicating invasive species on site, including having a biologist conduct a preliminary survey of the invasive species. The start date for the Tamarix, "Salt Cedar" study will be scheduled as soon as possible. SJLE Easement and Dredging Agreement - SJLE has reviewed the agreements and made comments on the easement portion of the agreement. SJLE's comments are currently under review by HWSO and Wayne Flowers. Parcels Adjacent- Last month the HWSO approved the resolution to add 13 parcels to the district. The legislation for this resolution was drafted by HWSO's attorney, Wayne Flowers. Bob Birtalan will submit the proposed ordinances to the general counsel's office at the COJ.

Spoil Site License Agreement- RIM Final Development Phase Complete. After hydra-seeding is completed and grass begins to grow, there will be little or no development work remaining at the spoil site.

Isle of palms License Agreement – HWSD closed on the IOPSD license agreement. Isle of Palms decided to postpone their dredging bid process for one month due to the COVID-19 virus.

Waterway Rules and Regulations- There is no update on the overhanging trees at 4449 Harbour N Ct. A prospective buyer of Cheryl Boney’s property at 4305 Harbour Island Dr., requested to put in a ramp with an 8x12 floating dock. A boundary survey was reviewed by the board for this property. A motion was made to decline the request for a variance to add an 8x12 floating dock at 4305 Harbour Island Dr.; Motion Carried.

The dock and boat lift repairs are scheduled to start the first or second week in May. These repairs will take an estimated two to three weeks to complete.

IV. Financial

HWSD 2019 Non-Ad Valorem Assessment- 94.7% has been collected. Only \$11,528 is left to collect. HWSD 2018 non-Ad Valorem Rebate- There are roughly 11 checks that have not been distributed to date. HWSD FY 2020- 21 Proposed budget was submitted to COJ.

Resolution 2020-06-Request for 12% matching funds from COJ. A motion was made to approve Resolution 2020-06, Motion Carried.

Approval to disburse funds- A motion was made to approve the disbursements for administrative, legal services, District Manager, clearing and grubbing, drone survey, and fencing fees totaling \$196,143.07; Motion Carried.

HWSD’s general fund ending balance as of March 31, 2020 is \$242,407.92. Projected total available funds in the HWSD general fund account as of June 30, 2020 is \$674,540.69.

V. District Schedule

Next scheduled Board Meeting- The next meeting is scheduled for May 12, 2020 at Resurrection Episcopal Church.

VI. Other Business

A letter will be sent to all homeowners in the district explaining where to find the waterway rules and regulations.

Legal and compliance issues- Nothing new to report.

VII. Comments and Questions

VIII. Adjournment

The meeting was adjourned at 8:03 PM. The next monthly Board of Supervisors Meeting is Scheduled for May 12, 2020.

Respectfully Submitted,



Caroline B. Birtalan
Recording Secretary



Robert P. Birtalan
Secretary / Treasurer

HARBOUR WATERWAY SPECIAL DISTRICT

2019 NON-AD VALOREM ASSESSMENT - DISTRIBUTION REPORT

4/14/2020

DATE	GROSS TAX	EARLY PAYMENT DISCOUNT	NET TAX	TC FEE	PA FEE	DISTRIBUTION
NOVEMBER						
1 - 12	22,000.00	(880.00)	21,120.00	(422.40)	(316.80)	20,380.80
13 - 18	10,000.00	(400.00)	9,600.00	(192.00)	(144.00)	9,264.00
19 - 30	133,000.00	(5,320.00)	127,680.00	(2,553.60)	(1,915.20)	123,211.20
DECEMBER						
1 - 11	18,504.19	(715.13)	17,789.06	(355.78)	(266.84)	17,166.44
12 - 31	10,832.35	(324.97)	10,507.38	(210.15)	(157.61)	10,139.62
JANUARY						
1 - 14	504.19	-	504.19	(10.08)	(7.56)	486.54
15 - 31	N/A					
February						
1 - 29	8,000.00	(80.00)	7,920.00	(158.40)	(118.80)	7,642.80
March						
1 - 13	2,000.00	-	2,000.00	(40.00)	(30.00)	1,930.00
14 - 31	2,630.67	-	2,630.67	(52.61)	(39.46)	2,538.60
April						
1 - 15						
16 - 30						
May						
1 - 16						
17 - 31						
June						
1 - 30						
July - August						
1 - 31						
September						
1 - 30						
<i>Unpaid Assessments</i>	7,528.60					
TOTAL DISTRIBUTION:	207,471.40	(7,720.10)	199,751.30	(3,995.03)	(2,996.27)	\$ 192,760.00
% Collected	96.5%					
TOTAL TAX BILLED	215,000.00					

RESOLUTION NO. 2020 - 06

A RESOLUTION OF THE HARBOUR WATERWAY SPECIAL DISTRICT, DUVAL COUNTY, FLORIDA, REQUESTING THE CITY OF JACKSONVILLE TO PROVIDE FUNDING ASSISTANCE FOR ITS 2019-2020 MAINTENANCE DREDGING PROJECT; PROVING AN EFFECTIVE DATE.

WHEREAS, City of Jacksonville (“City”) Ordinance No. 2010-725-E (“Ordinance”) created the Harbour Waterway Special District (“HWSD”), providing at Section 2 thereof that the purpose of the HWSD is for the continuing maintenance of the system of canals located in the HWSD as well as continuing maintenance of an access channel to the St. Johns River, maintenance of a related jetty and associated navigational aids; and

WHEREAS, the Ordinance, at Section 3(G) authorizes the HWSD to impose non-ad valorem assessments on parcels of real estate within the boundaries of the HWSD to pay for its operations, including maintenance dredging projects, and at Section 3(F), authorizes the HWSD to borrow funds to pay for performance of functions such as conducting maintenance dredging projects, each of which the HWSD has done; and

WHEREAS, in October, 2019, the HWSD commenced a maintenance dredging project for the canals located within the HWSD and the access channel connecting those canals to the St. Johns River, and completed the project in January, 2020; and

WHEREAS, prior to entering into a contract with the dredging contractor engaged to complete the project, the HWSD conducted a competitive bid process, received multiple bids, and contracted with the contractor who met all bid specifications and whose bid was the lowest bid received by the HWSD for the project; and

WHEREAS, the total cost of the maintenance dredging project paid by the HWSD which was completed in January, 2020 was \$, all of which came from HWSD funds; and

WHEREAS, the public uses areas dredged by HWSD through its recent dredging project; and

WHEREAS, the HWSD’s dredging activities enhances property values of those properties within the HWSD, thereby increasing potential ad valorem tax collections by the City; and

WHEREAS, the City has a funding formula, adopted by ordinance, for providing funding assistance to special districts and neighborhood/homeowner associations conducting dredging projects such as the one just completed by the HWSD; and

WHEREAS, the City, in 2019 approved ordinances that provided for funding assistance to two dependent special districts, each created for the exact same purpose as the HWSD, to assist them in paying the cost of maintenance dredging projects, specifically, the Millers Creek Special

District whose project is in progress and the Isle of Palms Special District which has yet to commence construction on its project; and

WHEREAS, the funding formula used for both the Millers Creek Special District and the Isle of Palms Special District provides for payment by the City of an amount not to exceed 12% of actual project costs; and

WHEREAS, although the HWSD did not specifically present a request for funding assistance from the City prior to commencement or completion of its recent dredging project, it is fair and equitable for the City to provide funding assistance to the HWSD as a reimbursement for the cost of its recent dredging project, on the same basis and using the same formula as was authorized by the City for the Millers Creek Special District and Isle of Palms Special District dredging projects; and

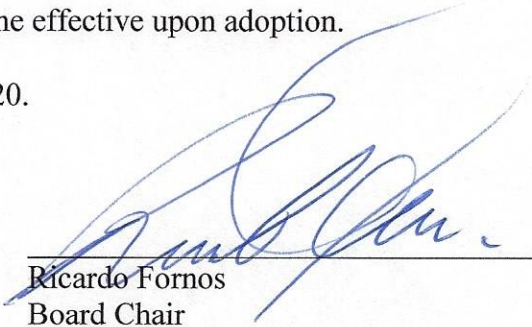
WHEREAS, since the total cost of the 2019-2020 HWSD dredging project is known to be \$ 1,055,315, the HWSD requests that the City appropriate 12% of that cost or \$ 126,637 to the HWSD for reimbursement of the expenses it has incurred in completing its 2019-2020 dredging project.

NOW THEREFORE, Be it resolved by the Board of the HWSD that:

Section 1. The HWSD requests that the City appropriate the sum of \$126,638, which represents 12% of the total project cost of \$ 1,055,315, expended by the HWSD for its 2019-2020 maintenance dredging project, to partially reimburse the HWSD for those costs.

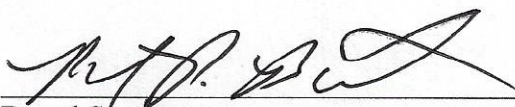
Section 3. This Resolution shall become effective upon adoption.

Adopted this 14th day of April, 2020.



Ricardo Fornos
Board Chair

Attest:



Board Secretary

1 **ORDINANCE 2020-_____**

2
3 AN ORDINANCE APPROPRIATING \$126,637.88 TO THE HARBOUR
4 WATERWAY SPECIAL DISTRICT TO PROVIDE 12% MATCH FUNDING
5 FOR 2019-2020 HARBOUR WATERWAY SPECIAL DISTRICT DREDGING
6 PROJECT ON A REIBURSEMENT BASIS; PROVIDING AND EFFECTIVE
7 DATE.

8
9 **WHEREAS**, the Harbour Waterway Special District ("District")
10 was created through City of Jacksonville Ordinance No. 2010-725-E
11 for the purpose of providing continuing maintenance of the system
12 of canals located in the District as well as continuing maintenance
13 of an access channel to the St. Johns River, maintenance of a
14 related jetty and associated navigational aids; and

15 **WHEREAS**, beginning in 2019 and concluding in 2020, the
16 District conducted a maintenance dredging project within the
17 canals located in the District and the access channel to the St.
18 Johns River at a total cost of \$883,119.69, and also did
19 construction to prepare the dredge spoil disposal site used by the
20 District for receipt of the resultant dredge spoil material at a
21 total cost of \$172,196, for a total cost of \$1,055,315.69; and

22 **WHEREAS**, the District sought competitive bids for the
23 dredging project and the contract was awarded to the lowest bidder
24 for the dredging project and the total price paid for the dredge
25 was consistent with the bid and contract price for that work; and

26 **WHEREAS**, it is appropriate to provide matching funding to the
27 District for 12% of its total project cost on a reimbursement
28 basis, now therefor

29
30 **BE IT ORDAINED** by the Council of the City of Jacksonville:

31 **Section 1. Appropriation.** For the 2020-2021 fiscal year,
32 within the City's budget, there are hereby appropriated the

33 indicated sum(s) from the account(s) listed in subsection (a) to
34 the account(s) listed in subsection (b):

35 (The account information is attached hereto as **Exhibit 1** and
36 incorporated herein by this reference)

37 (a) Appropriated from:

38 See **Exhibit 1** \$126,637.88

39 (b) Appropriated to:

40 See **Exhibit 1** \$126,637.88

41 (c) Explanation of Appropriation

42 The funding above is an appropriation to Harbour Waterway
43 Special District to be a City match of 12% to reimburse
44 the Harbour Waterway Special District dredging and spoil
45 disposal project.

46 **Section 2. Purpose.** The purpose of the appropriation in
47 Section 1 is to provide match funding of 12% on a reimbursement
48 basis for the Harbour Waterway Dredging Project.

49 **Section 3. Effective Date.** This ordinance shall
50 become effective upon signature by the Mayor or upon becoming
51 effective without the Mayor's signature.

52

EXHIBIT 1

HWSD 2019 DREDGING PROJECT

SPOIL SITE DEVELOPMENT

CLEARING & GRUBBING 44 ACRES	2/12/2020	\$	160,000.00
HYDRA-SEEDING LEVEES	12/6/2019		12,196.00

SURVEYING

PRE-DREDGE SURVEY	9/13/2019		5,295.00
POST-DREDGE SURVEY - ACCEPTANCE REACH 1	12/7/2019		3,930.00
POST-DREDGE SURVEY - ACCEPTANCE REACH 2	12/19/2019		3,930.00
POST-DREDGE SURVEY - ACCEPTANCE REACH 3	2/11/2020		3,930.00

DREDGING

ACCEPTANCE REACH 1	11/7/2019		351,832.14
ACCEPTANCE REACH 2	12/19/2019		168,982.20
ACCEPTANCE REACH 3	2/12/2020		<u>345,220.35</u>

TOTAL COST OF 2019 DREDGING PROJECT **\$ 1,055,315.69**

COJ REQUESTED FUNDING **12.00%** **\$ 126,637.88**

HARBOUR WATERWAY SPECIAL DISTRICT

Motion to Disburse Funds:

Tuesday, April 14, 2020

CURRENT ASSETS			
2/29/2020	BB&T CHECKING ACCOUNT	BEGINNING BALANCE	\$ 239,511.60
	TAX DEPOSITS	March 1 - 31	9,572.80
3/27/2020	Isle of Palms	License agreement payment	593,750.00
TOTAL CHECKING ACCOUNT BALANCE			\$ 842,834.40
CLEARED DISBURSEMENTS			
3/10/2020	1481 Resurrection Episcopal Church	Meeting Place (March 10, 2020)	(100.00)
3/10/2020	1479 Caroline Birtalan	Administrative Services (February 11)	(150.00)
3/10/2020	1480 Lewis Longman & Walker	Legal Services (February Billing)	(2,200.00)
3/10/2020	Debit Stanley Pipes	District Manager 38.50 hrs - (February billing)	(3,190.48)
3/27/2020	Debit BB&T Bank Charge	NSF check from Isle of Palms	(36.00)
3/27/2020	Debit Isle of Palms	License agreement Check - returned NSF	(593,750.00)
3/31/2020	1389 Tax Rebate Checks	1 Tax Rebate Checks have cleared as of 3/31/2020	(1,000.00)
DISBURSEMENTS - SubTotal			(600,426.48)
3/31/2020	BB&T CHECKING ACCOUNT	TOTAL ENDING BALANCE	\$ 242,407.92
OUTSTANDING DISBURSEMENTS / DEPOSITS			
4/3/2020	Isle of Palms	License agreement payment - Re-submitted	593,750.00
SubTotal			593,750.00
REQUESTED DISBURSEMENTS			
4/14/2020	Resurrection Episcopal Church	Meeting Place (April 14, 2020)	(100.00)
4/14/2020	Caroline Birtalan	Administrative Services (March 10)	(150.00)
4/14/2020	Lewis Longman & Walker	Legal Services (March Billing)	(3,375.00)
4/14/2020	Stanley Pipes	Office supplies - Ink & Paper; legal notices; web hosting	(341.67)
4/14/2020	Debit Stanley Pipes	District Manager 45.25 hrs - (March billing)	(4,525.00)
4/15/2020	Reed Island Management (RIM)	Spoil Site Clearing & Grubbing Expense (40 acres)	(160,000.00)
4/25/2020	ARC Surveying	Final Drone Survey - establish final elevations on levees	(3,930.00)
4/15/2020		Hydro-Seeding Expense - 9 acres	(13,721.40)
4/25/2020		400 feet of Fencing & Gates - by powerlines	(10,000.00)
SubTotal			(196,143.07)
PLANNED PROJECT EXPENSES thru JUN, 2020			
Ongoing	Equipment Rentals / Labor/ Supplies	COJ Park Development: up to	(10,000.00)
3/31/2020	Dock and Boat Lift Repairs	2019 Dredging Project" up to 45,000	(45,000.00)
4/15/2020	LG2 Environmental Solutions	Tamarix Survey of COJ Park Property & Removal	(7,500.00)
4/30/2020	HWSD Spoil Site Development	Erosion Control; install power lines; etc	(10,000.00)
5/15/2020	Roy Miller Accounting Firm	Setup GL for Enterprise Accounting	(1,500.00)
6/30/2020	Tirhas Berhane Gebremedhin	Purchase Parcel 160265 (\$13,000) plus other parcels	(25,000.00)
6/30/2020	Tractor; Lawn equipment; storage	Purchase skid steer; storage container; etc	(80,000.00)
SubTotal			(179,000.00)
TOTAL REQUESTED DISBURSEMENT PLUS PROJECTS:			\$ (375,143.07)
PROJECTED NET REVENUE FROM 2019 ASSESSMENT			
Projected 2019 Assessment Collected		\$	190,221
OPERATING EXPENSES - Apr, 2020 thru Jun, 2020			
			(20,765.25)
PROJECTED DEBT SERVICE			
5/1/2020	Interest Payment	Series 2018 Revenue Note	(18,631.01)
5/1/2020	Principal Payment	Series 2018 Revenue Note	(38,327.90)
OPERATING EXPENSES ; & DEBT SERVICE EXPENSE:			\$ (77,724.16)
TOTAL HWSD DISPOSABLE FUNDS			
REED ISLAND MANAGEMENT		RIM License Payment - due May 5, 2020	\$ 281,250.00
		TOTAL AVAILABLE FUNDS - as of June 30, 2020	\$ 674,540.69