

HARBOUR WATERWAY
SPECIAL DISTRICT
Agenda

Tuesday
May 12, 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 April 14, 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. Dredge Material Maintenance Area (DMMA)*
 - v. Ordinance to 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. Notice to Homeowners of current Rules & Regulations*
 - ii. Dock and boat lift repairs – Top Dog Construction*
 - iii. 4449 Harbour N Ct; Wayne & Theresa Delucia*

- IV. Financial**
 - a. HWSD 2019 non-Ad Valorem Assessment – Update
 - b. HWSD 2018 non-Ad Valorem Rebate – Update
 - c. Ordinance Requesting for 12% matching funds for dredging from COJ
 - d. Approval to disburse funds

- V. District Schedule**
 - a. Next Scheduled Board Meeting
 - i. June 9, 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, May 12, 2020

I. Introduction

The Harbour Waterway Special District (HSWD) meeting of the Board of supervisors was held via teleconference on May 12, 2020. The meeting was called to order at 7:05pm. In attendance Robert Birtalan, Mark Todd, David Prysock, Wally Lovely as acting Chairman 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 April 14, 2020 – Motion made to approve the minutes as written; Motion Carried.

III. District Business

Reed Island Spoil Site- The final phase of site development has been completed to raise the levees to 35 feet. Florida Carter Corporation has been contacted for hydroseeding. A treatment will be done to the soil to lower the high alkaline levels. Three to four weeks after the treatment is complete, hydroseeding will begin. Once hydroseeding is complete there will be little or no development remaining at the spoil site.

Tamarix Survey- Stanley will contact LG2 Environmental to begin the invasive species survey. After the survey is complete, HWSD may proceed with removing the invasive plants.

SJLE Easement and Dredging Agreement- Minor edits have been made to the agreements for review by St Johns Landing Estates.

Dredge Material Management Area- David Touring and Connie Webble were contacted to conduct the DMMA study. ARC Surveying will perform a final drone flight to determine the final elevations of the levees at the spoil site. Once the drone survey is complete, HWSD will receive a topographical map of the levees and floor of the spoil site cells.

Parcels added to the District - The ordinance to add parcels has been submitted to COJ to begin the legislative process.

Isle of Palms License Agreement – IOPSD has executed the license agreement to purchase 300,000 cubic yards of disposal capacity.

Waterway Rules and Regulations - A rough draft of a notice regarding the waterway rules and regulations has been made and sent to all board members. All proposed edits are requested to be submitted by May 19. A finalized letter will be sent to all parcels in the District.

Dock and Boat Lift Repairs- In roughly 2 - 3 weeks, Top Dog Marine will be in the canal for an estimated 1 - 2 months to perform work on pilings and bulkheads. A discussion was held regarding the poor condition of the bulkhead that goes across COJ's property on Portside Dr. A motion was made to replace the bulkhead for an estimated cost of \$17,500, and then request reimbursement from the COJ; Motion Carried.

IV. Financial

HWSD 2019 Non-Ad Valorem Assessment- 98.4% has been collected. Only \$3,528 is left to collect. HWSD 2018 non-Ad Valorem Rebate- There is roughly 6 checks that have not been picked up yet. The HWSD FY 2020- 21 Proposed Budget has been submitted to COJ.

Approval to disburse funds- A motion was made to approve the disbursements for administrative, legal services, District Manager, hydroseeding, drone survey, 25ft of bulkhead on COJ's property, and fencing fees totaling \$78,694.30; Motion Carried.

Projected total available funds in the HWSD general fund account after requested disbursements is \$835,211.50.

V. District Schedule

Next scheduled Board Meeting- The next meeting is scheduled for June 9, 2020.

VI. Other Business

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

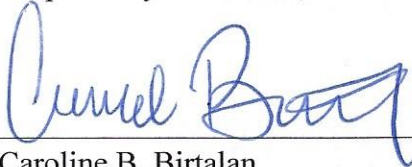
Legal and compliance issues- Nothing new to report.

VII. Comments and Questions

VIII. Adjournment

The meeting was adjourned at 8:33 PM. The next monthly Board of Supervisors Meeting is Scheduled for June 9, 2020.

Respectfully Submitted,



Caroline B. Birtalan
Recording Secretary



Robert P. Birtalan
Secretary / Treasurer

1 Introduced by Council Member Ferraro:
2
3

4 **ORDINANCE 2020-267**

5 AN ORDINANCE AMENDING ORDINANCE 2010-725-E, AS
6 AMENDED BY ORDINANCE 2015-233-E, BY AMENDING
7 THE BOUNDARY AND THE STATED PURPOSE OF THE
8 DISTRICT; PROVIDING RETROACTIVE APPLICABILITY;
9 PROVIDING THAT ALL OTHER ASPECTS OF ORDINANCE
10 2010-725-E REMAIN UNCHANGED; PROVIDING AN
11 EFFECTIVE DATE.
12

13 **WHEREAS**, Ordinance 2010-725-E, as amended by Ordinance
14 2015-233-E, created and empowered the Harbour Waterway Special
15 District (the "District") in accordance with Section 189.02,
16 Florida Statutes; and

17 **WHEREAS**, Section 1 of Ordinance 2010-725-E, establishes the
18 boundaries of the District; and

19 **WHEREAS**, exercising authority granted to it in Section 4(C)
20 of Ordinance 2010-725-E, the District has acquired lands outside
21 of the current boundaries of the District, consisting of one
22 parcel purchased from JaxPort and a second parcel purchased from
23 the City of Jacksonville ("City"), for use as a dredge spoil
24 disposal; and

25 **WHEREAS**, the District, has engaged in construction
26 activities to improve and maintain the parcels purchased from
27 the City and JaxPort to optimize its capacity and to otherwise
28 make it suitable for deposit of dredge spoil materials, and will
29 continue to maintain the lands surrounding the dredge spoil
30 disposal site that were included in the conveyances from JaxPort
31 and the City; and

1 **WHEREAS**, the District will also continue to perform those
2 improvement and maintenance activities on the park owned by the
3 City that is located adjacent to the parcels purchased from the
4 City and JaxPort as directed by City Ordinance No. 19-2019-136,
5 which authorized the sale of the parcel obtain by the District
6 from the City for use as a dredge spoil disposal site; and

7 **WHEREAS**, maintenance and improvement of the upland and
8 marsh areas included within the boundaries of the lands conveyed
9 by JaxPort and the City to the District are and will in the
10 future be a responsibility of the District; and

11 **WHEREAS**, Duval County Real Estate Parcel ("R.E.") Numbers
12 160265-0000, 160265-0025, 160266-1040 and 160266-0900 constitute
13 real property adjacent or contiguous with the Spoil Disposal
14 Site and would benefit from the authorized activities of the
15 District; and

16 **WHEREAS**, Duval County R.E. Parcel Numbers 160266-0000,
17 160266-2026, 160266-2029, 160266-2027, 160266-2023, 160671-0080,
18 160663-1220, 160663-0000, 160663-1210, and 160264-0000, are
19 parcels in proximity to the existing District canal system and
20 would benefit from the authorized activities of the District;
21 and

22 **WHEREAS**, R.E. Parcel Numbers 160258-0002 and 160258-0000
23 are the properties obtained by the District from JaxPort and the
24 City, respectively and should be included within the boundaries
25 of the District based on the District's ownership thereof and
26 the proximity of the parcels to the District; now therefore

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

28 **Section 1. Amending the Charter for Harbour Waterway**
29 **Special District, established in Ordinance 2010-725-E, as amended**
30 **by Ordinance 2015-233-E.** The Charter for the Harbour Waterway
31 Special District, established in Ordinance 2010-725-E, as amended

1 by Ordinance 2015-233-E, is hereby amended in part to read as
2 follows:

3 CHARTER OF THE HARBOUR WATERWAY SPECIAL DISTRICT

4 Section 1. Boundaries. The Harbour Waterway Special
5 District (hereinafter referred to as the "District") is hereby
6 created. The boundaries of the District are as follows:

7 * * *

8 And

9 Parts of Section 50, Township 1 South, Range 28 East, Duval County
10 Florida, Recorded in Official Records Book 5654 Page 1473, Book
11 5378 Page 1110, Book 7891 Page 1345, Book 10745 Page 63, of the
12 current public records of Duval County, Florida.

13 And

14 R.E. Parcel Numbers 160258-0002, 160265-0025, 160266-1040,
15 160266-0900, 160266-0000, 160266-2026, 160266-2029, 160266-
16 2027, 160266-2023, 160671-0080, 160663-1220, 160663-1210,
17 160663-0000, 160264-0000, 160259-0000 and 160258-0002.

18 Section 2. Purpose. The purpose of the District shall be
19 the continuing maintenance of the system of canals located in The
20 Harbour neighborhood, Harbour North neighborhood, Harbour Cay
21 neighborhood, and Harbour Island neighborhood, construction and
22 maintenance of a dredge disposal site, and maintenance and
23 improvement of the upland and marsh areas surrounding the spoil
24 disposal site together with access roads to the spoil disposal
25 site.. The District shall fulfill its purpose by dredging the
26 canals, dredging the channel that provides the canals with access
27 to the St. Johns River, maintaining a jetty, and maintaining
28 navigational aids and enhancing and restoring uplands and
29 wetlands on the lands owned by the District. To facilitate
30 dredging the canals, the District may also enforce standards for
31 docks and other structures located in the canals, and activities in

1 the canals when dredging is ongoing.

2 * * *

3 Section 4. Powers. The District is authorized and
4 empowered:

5 * * *

6 (G) To assess for each year of its operation against
7 each residential lot, each non-residential parcel, and each parcel
8 with a canal access easement in the District a special assessment
9 not to exceed \$2,000, and each parcel used for a marina a special
10 assessment not to exceed \$4,000, to be billed and collected as
11 provided by state and local law, and to be a lien on the assessed
12 property, coequal with the lien of all state, county, district and
13 municipal taxes, and superior in dignity to all other liens,
14 titles, and claims, until paid in full;

15 * * *

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

20 **Section 3. All other aspects of Ordinance 2010-725-E**
21 **unchanged.** With the exception of Section 1 of this ordinance, in
22 all other respects Ordinance 2010-725-E shall remain unchanged and
23 in full force and effect.

24 **Section 4. Effective Date.** This ordinance shall become
25 effective upon signature by the Mayor or upon becoming effective
26 without the Mayor's signature.

27 Form Approved:

28 /s/ Paige H. Johnston

29 Office of General Counsel

30 Legislation Prepared By: Paige H. Johnston

31 GC-#1364500-v1-Harbour_Waterways_Add_Parcel.s.doc

NCSPHS AMENDMENT

The Neighborhoods, Community Services, Public Health and Safety Committee offers the following amendment to File No. 2020-267:

- (1) On **page 2, line 4, strike** "No. 19-2019-136" and **insert** "2019-136-E";
- (2) On **page 2, line 22, strike** "160258-0000" and **insert** "160259-0000";
- (3) On **page 3, line 14, strike** "168258-0002" and **insert** "160265-0000";
- (4) On **page 3, line 25, strike** "site." and **insert** "site";
- (5) On **page 1, line 1,** amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

/s/ Margaret M. Sidman
Office of General Counsel

Legislation Prepared By: Margaret M. Sidman

GC-#1371276-v2-2020-267_NCSPHS_Amd.DOCX

May 31, 2020

District Members,

The Harbour Waterway Special District (HWSD) has had a productive year.

On March 26, 2019, COJ approved the sale of 44 acres on Reed Island to HWSD, allowing us to achieve our goal of acquiring a spoil site. As of today, we have created a 40-acre spoil site with a capacity of 1,279,000 cubic yards for dredge disposal material. This is more capacity than we need which affords us the opportunity to sell capacity to other Duval County residential areas. As an example, to offset our cost of development of the spoil site, we sold disposal capacity to Isle of Palms Special District for two of their future dredges. As an added benefit of this sale, the Board was able to deliver a 50% rebate of your 2018 non-Ad Valorem taxes. Succinctly and most importantly, the HWSD spoil site provides us the capacity and fiscal footing to keep our waterway open and deep-water accessible for the foreseeable future, creating a positive impact on our property values for years to come.

On January 31, 2020 we completed dredging our channels to a width of 50 -100 feet and a minimum depth of -6.0 feet, mean low water, removing 104,000 cubic yards of spoil waste--far more than any previous dredge! These dredging specifications have been maintained since the 1970's and we plan to continue with this standard for each future dredge, which is on an 8 to 10 year cycle. It is important for each homeowner to ensure that their bulkheads and pilings are capable of supporting dredging to -6.0 feet, mean low water, so that we can dredge as close to the bulkheads as safely possible, ultimately maintaining the navigability of our waterway. Your HWSD Board is here to assist you in acquiring the requisite permits for all new dock construction and repairs. Attached are the rules and regulations adopted by the Board in 2015.

For all the ongoing projects and those being planned to improve our piece of paradise... THANK YOU. **YOUR goal is OUR goal...increasing property Values!**

If you have any questions, please contact one of the Board members or our District Manager, Stanley Pipes. The current rules and regulations as adopted by the Board are also online at our website, www.hwsd.org.

Sincerely,

Rick Fornos
Chairman

HWSD BOARD MEMBERS

Board Seat 1: Mark E. Todd
4407 Harbour Island Dr.

Board Seat 2: Wally Lovely
Vice - Chairman
11350 Beacon Dr.

Board Seat 3: Robert P. Birtalan
Secretary / Treasurer
11191 Schooner Ct.

Board Seat 4: T. David Prysock
4636 Harbour North Ct.

Board Seat 5: Rick Fornos
Chairman
4434 Beacon Drive W.

District Manager: Stanley Pipes
11554 Starboard Drive
(904) 642-0097

CHECK OUT OUR WEB SITE
For more information:

www.hwsd.org

HARBOUR WATERWAY SPECIAL DISTRICT WATERWAY REGULATIONS

1. PURPOSE

The purpose of the Harbour Waterway Special District "District" shall be continuing maintenance of the system of canals located in the Harbour neighborhood, Harbour North neighborhood, Harbour Cay neighborhood, and Harbour Island neighborhood. The District shall fulfill its purpose by dredging the canals, dredging the channel that provides the canals with access to the St. Johns River, maintaining a jetty, and maintaining navigational aids collectively the "Waterway." To facilitate dredging the Waterway, the District may also enforce standards for docks and other structures located in the canals, and activities in the canals when dredging is ongoing. Commercial use or operating a commercial enterprise in the Waterway from a residential parcel within the District is strictly prohibited.

2. DOCKS & BULKHEADS

2.1 General

- a. The District fulfills its responsibility of maintaining the canal system by dredging a channel a minimum of 50 feet wide to a minimum depth of 5.0 Mean Low Water "MLW" with a 1.0 foot over-dredge, (*the "Clear Channel"*), with a 3 / 1 slope on either side of the Clear Channel extending 15 feet on each side, (*the "Side Channel"*) for a total dredge profile of 80 feet wide throughout the canal system. Refer to Exhibit A
 - i. To facilitate dredging and set standards for the Waterway, the District enacts these regulations that may be amended from time to time by a majority of the members of the Board of Supervisors, "Board"; and
 - ii. To minimize the cost of dredging and to allow for safe navigation in the Waterway, docks and /or pilings as a rule may not obstruct the path delineated by the dredge profile, unless otherwise provided for herein.
- b. Bulkheads / seawalls shall be maintained in sound condition in order to prevent sediment from entering the Waterway.
- c. No docks, wharves, boat lifts, boat slips, seawalls, bulkheads or any other constructions shall be erected on the Waterway without prior approval from the District.
- d. All dock & bulkhead construction and repair shall be conducted in a manner which minimizes adverse impacts to the canal system.
- e. No dock shall be constructed or repaired in a manner which adversely affects the rights of other persons to use or access the canal system.

- f. Property owners shall maintain overhanging trees as not to encroach or interfere with the Waterway, including but not limited to low hanging branches that are less than 30 feet above High Mean Water as measured 11 feet from the bulkhead into the canal.
- g. Boat mooring may occur at the terminus of any dock and up to 5.0 feet from the adjacent homeowner's parcel or projected side yard property line.

2.2 Dock & Bulkhead Building Application and Procedures.

- a. No dock construction or repair shall occur unless permitted by the District.
- b. All permit applications shall include the following:
 - i. The original signature of the property owner of the upland parcel to which the dock and/or bulkhead shall be attached;
 - ii.
- c. A site plan depicting the following:
 - i. The property owner's name and address where the dock is to be located;
 - ii. The location and dimensions of the dock;
 - iii. The location of all bulkheads, seawalls, boat lifts, hoists, floating docks, and pilings for the dock;
 - iv. The distance between the existing bulkhead and the outer most piling attached to the fixed dock;
 - v. The distance between the dock and all adjacent property lines;
 - vi. Location of any existing docks and/or bulkheads attached to upland property abutting the upland property to which the proposed dock is to be attached;
 - vii. The location of any easement areas within twenty feet of any portion of the dock; and
 - viii. An arrow indicating north.
- d. Dock and bulkhead plans shall be submitted a minimum of 21 days prior to the commencement of construction at the address listed below or by email:
 - i. Harbour Waterway Special District
c/o Stanley H Pipes
11554 Starboard Drive
Jacksonville, FL. 32225
(904) 642-0097
 - ii. Plans scanned in a PDF format may be submitted by email to shpipes@bellsouth.net
- e. A permit to proceed may be issued by the District Manager or a Supervisor designated by the Board of Supervisors, by Resolution to review and approve applications which fully meet the specifications herein. A report will be made on all applications received and acted on to the full Board at the next scheduled Board of Supervisors Meeting.

2.3 Dock Construction – *minimum standards*

- a. Private boat slips, wharves, docks, and boat lifts may be constructed by the property owner, but shall be of neat appearance and of good and substantial construction.
- b. Per Florida Statute 403.813 for non-designated Outstanding Florida Waters, the over-water surface area for a dock shall not exceed 1,000 square feet without special permitting from the State of Florida.
- c. All docks and wharves shall comply with Florida Department of Environmental Protection dock regulations.
- d. Fixed docks and/or pilings may not extend greater than 11 feet from the bulkhead into the Waterway, and under no circumstances shall the fixed dock and/or pilings extend into the Clear Channel. Boat lifts and pilings to support boat lift equipment may extend up to 12.0 feet into the Side Channel as measured from Side Channel boundary line closest to the bulkhead then waterward towards the Clear Channel. Refer to Exhibit B
- e. Floating docks may not extend from the fixed dock greater than 8.0 feet, except special consideration for floating docks extending greater than 8.0 feet may be granted provided homeowner agrees to remove the floating dock during dredging operations and is approved by the Board.
- f. The combined length from the bulkhead of the fixed dock and the floating dock or a boat lift may not extend greater than 22 feet from the bulkhead into the Waterway unless otherwise restricted by the Clear & Side Channel regulations or as provided in paragraph 2.3 (e).
- g. Docks, wharves, boat lifts, and boat slips shall have a minimum side setback of 5.0 feet from the actual or projected property line equivalent to the side yard setback required of a residential structure, exceptions shall be granted if the adjacent property owner(s) grants permission to build the dock up to the property line.
- h. No fixed dock floor elevation shall be less than one (1) foot above the Mean High Water (MHW).
- i. No portion of any fixed dock may be completely or partially enclosed except for permitted storage lockers and fish cleaning stations:
 - i. Storage lockers of less than 100 cumulative cubic feet may be allowed on private docks; and
 - ii. No storage locker shall be used to store fuel, fueling equipment, hazardous materials or hazardous wastes.
- j. To prevent structures on or adjacent to the Waterway from blocking the views of other property owners, docks or wharves including railings may not be constructed greater than 5.0 feet above the top of the bulkhead or 6.0 feet above Mean High Water (MHW) whichever is less.
 - i. Pergolas, gazebos, or boat houses may not be constructed on or adjacent to the Waterway; and

- ii. Excluded from these provisions are boat lifts without roofs or covers.
- k. Docks, wharves, and boat lifts shall be placed parallel to the bulkhead.
- l. Residential parcels shall have a maximum of two (2) boat lifts per parcel for vessels greater than 14 feet in length, plus a lift for personal water crafts (PWC) is permitted.

2.4 Bulkhead Construction

- a. All waterfront lots must have a seawall or bulkhead the entire length of the water frontage and shall be maintained in sound condition. Any bulkhead that has failed, collapsed, or fallen into the waterway shall be repaired within 90 days of notification from the Board the seawall or bulkhead has become a hazard to navigation in the waterway.
- b. In the event a new bulkhead is constructed to replace the existing bulkhead, shoreline contours above or below the water may not encroach upon the Waterway by greater than 2.0 feet from the existing bulkhead.
- c. Bulkheads may not extend above the current elevation of the existing bulkhead, and the bulkhead elevation shall not be greater than one (1) foot above the Mean High Water (MHW), whichever is the highest elevation.
- d. Bulkheads shall be constructed of sound and substantial material rated for marine applications including: concrete, pressure treated marine grade lumber, and/or corrugated vinyl sheet pilings.
- e. Bulkhead - *Suggested Minimum Standards:*
(Harbour Waterway Special District does not represent or warrant the suggested minimum standards are adequate to resist lateral soil and hydrostatic pressures at a homeowners' property. Homeowners should always consult with a licensed engineer to determine if the suggested minimum standards are adequate for the homeowners' property.)
 - i. Pilings for wood and vinyl bulkheads shall be set a maximum of 5.0 feet apart along the bulkhead and have a minimum length of 20 feet.
 - ii. Whalers (horizontal support for the cribbing) for wood and vinyl bulkheads shall be set a maximum of 4 feet apart on center with a minimum of two whalers the entire length of the bulkhead.
 - iii. Cribbing (vertical sheeting) may be composed of marine grade wood, concrete, and/or vinyl bulkheads and shall be a minimum of 12 feet in length.
 - iv. All bulkheads shall have a sediment filter screen installed the entire length of the bulkheads and down a minimum of 8.0 feet

from the top of the bulkhead. Sediment filter screens shall be maintained in good condition at all times.

- v. All bulkhead pilings shall have corrosion resistance steel tiebacks attached and anchored a minimum of 10 feet from the bulkhead to a deadman adequate to resist lateral soil and hydrostatic pressures.

2.5 Variances

The Board of Supervisors ("Board") may grant variances from the specifications set forth in Section 2.3 above for dock construction or Section 2.4 above for bulkhead only under the following circumstances:

- a. The requesting party must provide written notice of the request to property owners on either side of the lot where the construction is proposed.
- b. Any request for variance must be set forth in writing and filed with the Board at least 15 days before the next regularly scheduled Board meeting, including proof of notification to adjacent property owners.
- c. The request must demonstrate and the Board must find, in order to grant the variance request that the request is not contrary to the public interest, and owing to special conditions, a literal enforcement of the applicable specifications will result in an undue hardship on the requesting property owner.
- d. The Board may provide such conditions and safeguards as may be appropriate and in harmony with the purpose and intent of these regulations.
- e. Approval of any variance request will require the affirmative vote of at least four (4) members of the Board.
- f. No construction may start on any project for which the owner has made application for a variance until the request is approved as provided herein.

3. RESTRICTIONS DURING DREDGING OPERATIONS

- 3.1 The District shall notify all property owners of proposed dredging operations a minimum of 45 days in advance.
- 3.2 Property owners shall relocate boats, vessels, and floating docks as directed by the District to a safe location during dredging operations.
- 3.3 In the event the property owner(s) does not relocate their boat, vessel, or floating dock as directed, the District shall have the right to relocate a boat, vessel, or floating dock to a safe location during dredging operations at the sole expense of the property owner.

- 3.4 The District shall have exclusive use of the Waterway during dredging / maintenance operations.
 - a. No maintenance on docks, boat lifts, bulkheads, seawalls or pilings shall be performed by property owners during dredging operations.
 - b. Dredging operations shall be performed 7 days a week from dawn to dusk until dredging is complete. On average the District conducts dredging operations every 7 to 8 years. The last dredging operation was completed in July, 2013.
 - c. The Waterway shall be closed to all boat traffic during dredging operations for the safety of the boaters and to prevent damage to dredging equipment and the dredge discharge pipe.

4. REMEDIES

- 4.1 After the effective date, all new construction, repairs, maintenance, or modifications to docks, wharves, boat lifts, and/or boat slips shall comply with these regulations, except existing docks, wharves, boat lifts, and/or boat slips constructed prior to August 11, 2015 are granted a variance as to the distance from the bulkhead and general design layout. In the event new construction or repairs are performed out of compliance, the District shall have the right to perform modifications, repairs, maintenance and/or demolition to docks, wharves, boat lifts, boat slips, pilings, seawalls, and/or bulkheads at the property owners' expense. This shall include removal of any obstruction located in the Waterway, including but not limited to pilings, fixed docks, boat lifts, and/or submerged vessels.
- 4.2 The District shall have the right at the property owner's expense to remove any submerged vessel or submerged dock after written notification from the District to the property owner, and provided the property owner has not taken corrective action within 30 days.
- 4.3 All costs incurred by the District shall constitute an assessment against the property owner. The District shall the right to enforce the assessment in the matter provided for in Ordinance 2010-725 and Ordinance 2015-233.

HARBOUR WATERWAY SPECIAL DISTRICT

2019 NON-AD VALOREM ASSESSMENT - DISTRIBUTION REPORT

5/11/2020

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	4,000.00	-	4,000.00	(80.00)	(60.00)	3,860.00
16 - 30	4,000.00	120.00	4,120.00	(82.40)	(61.80)	3,975.80
May						
1 - 16						
17 - 31						
June						
1 - 30						
July - August						
1 - 31						
September						
1 - 30						
<i>Unpaid Assessments</i>						
	3,528.60					
TOTAL DISTRIBUTION:	215,471.40	(7,600.10)	207,871.30	(4,157.43)	(3,118.07)	\$ 200,595.80
% Collected	98.4%					
TOTAL TAX BILLED	219,000.00					

HARBOUR WATERWAY SPECIAL DISTRICT

Motion to Disburse Funds:

Tuesday, May 12, 2020

CURRENT ASSETS			
3/31/2020	BB&T CHECKING ACCOUNT	BEGINNING BALANCE	\$ 242,407.92
	TAX DEPOSITS	April 1 - 30	6,398.60
4/3/2020	Isle of Palms	License agreement payment - Re-submitted	593,750.00
TOTAL CHECKING ACCOUNT BALANCE			\$ 842,556.52
CLEARED DISBURSEMENTS			
4/14/2020	1485	Resurrection Episcopal Church	Meeting Place (April 14, 2020) (100.00)
4/14/2020	1482	Caroline Birtalan	Administrative Services (March 10) (150.00)
4/14/2020	1483	Lewis Longman & Walker	Legal Services (March Billing) (3,375.00)
4/14/2020	1486	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) (3,682.83)
4/15/2020	1484	Reed Island Management (RIM)	Spoil Site Clearing & Grubbing Expense (40 acres) (160,000.00)
4/21/2020	Debit	BB&T	Service Charge (12.00)
4/22/2020	Debit	IRS	Federal Unemployment Insurance (42.00)
4/22/2020	Debit	IRS	Qtr. - Federal income Tax Withholdings (3,577.32)
4/22/2020	Debit	FL Dept of Revenue	Workmen Compensatoin (189.00)
4/27/2020	Debit	BB&T	Annual Payment for 2018 Revenue Note (56,958.90)
4/30/2020	varies	Tax Rebate Checks	2 - Tax Rebate Checks cleared for the month (1,500.00)
DISBURSEMENTS - SubTotal			(229,928.72)
4/30/2020	BB&T CHECKING ACCOUNT	TOTAL ENDING BALANCE	\$ 612,627.80
OUTSTANDING DISBURSEMENTS / DEPOSITS			
5/8/2020	RIM License	License agreement - Annual Payment (1 of 3)	281,250.00
5/8/2020	FL Municipal Insurance Trust	Refund - 2019 Premium	28.00
5/31/2020	RIM License Agreement	50% of Hydra-seeding project	20,000.00
SubTotal			301,278.00
REQUESTED DISBURSEMENTS			
5/12/2020	Resurrection Episcopal Church	Meeting Place (May 12, 2020)	(100.00)
5/12/2020	Caroline Birtalan	Administrative Services (April 14)	(150.00)
5/12/2020	Lewis Longman & Walker	Legal Services (April Billing)	(2,050.00)
5/12/2020	Stanley Pipes	Legal notice - Conference Call Meetings	(39.30)
5/12/2020	Debit Stanley Pipes	District Manager 29.25 hrs - (April billing)	(2,925.00)
5/31/2020	ARC Surveying	Final Drone Survey - establish final elevations on levees	(3,930.00)
5/31/2020	Florida Carter Corporation	Hydro-Seeding Expense - 10 acres	(40,000.00)
6/15/2020	Top Dog Construction	25 Feet of bulkhead on COJ's property (Portside Dr)	(17,500.00)
6/15/2020		400 feet of Fencing & Gates - by powerlines	(12,000.00)
SubTotal			(78,694.30)
TOTAL AVAILABLE FUNDS AFTER REQUESTED DISBURSEMENTS			\$ 835,211.50
PLANNED PROJECT EXPENSES			
Ongoing	Equipment Rentals / Labor/ Supplies	COJ Park Development: up to	(12,000.00)
Ongoing	2018 Tax Rebate Project	Outstanding Rebate Checks	(4,500.00)
5/31/2020	Dock and Boat Lift Repairs	2019 Dredging Project" up to 45,000	(45,000.00)
5/31/2020	LG2 Environmental Solutions	Tamarix Survey of COJ Park Property & Removal	(7,500.00)
5/31/2020	HWSD Spoil Site Development	Install power lines; etc	(15,000.00)
5/31/2020	Roy Miller Accounting Firm	Setup GL for Enterprise Accounting	(1,500.00)
6/30/2020	David Touring and Connie Webel	Conduct DMMA analysis and permitting	(25,000.00)
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)
TOTAL PLANNED PROJECTS:			\$ (215,500.00)
PROJECTED NET REVENUE FROM 2019 ASSESSMENT			\$ 3,500.00
2019 Assessment Collected	\$	200,596	
OPERATING EXPENSES - May, 2020 thru Jun, 2020			(13,497.00)
OPERATING EXPENSES ; & DEBT SERVICE EXPENSE:			\$ (13,497.00)
TOTAL HWSD DISPOSABLE FUNDS			
TOTAL AVAILABLE FUNDS - as of June 30, 2020			\$ 609,714.50