

**MINUTES OF MEETING
EAST NASSAU STEWARDSHIP DISTRICT**

The Board of Supervisors of the East Nassau Stewardship District held a Regular Meeting on April 18, 2024 at 10:00 a.m., at the Fernandina Beach Municipal Airport, 700 Airport Road, Fernandina Beach, Florida 32034.

Present were:

Mike Hahaj	Chair
Tommy Jinks	Vice Chair
Jamie Northrup	Assistant Secretary
Max Hord	Assistant Secretary

Also present:

Ernesto Torres	District Manager
Michelle Rigoni	District Counsel
Zach Brecht	District Engineer
Todd Haskett	CCMC
Carol Brown	Landowner Representative

FIRST ORDER OF BUSINESS

Call to Order

Mr. Torres called the meeting to order at 10:00 a.m.

SECOND ORDER OF BUSINESS

Roll Call

Supervisors Hahaj, Jinks, Northrup and Hord were present. Supervisor Fancher was not present.

THIRD ORDER OF BUSINESS

Chairman's Opening Remarks

Mr. Hahaj thanked everyone for attending.

FOURTH ORDER OF BUSINESS

Consent Agenda

- A. Acceptance of Unaudited Financial Statements as of February 29, 2024**
- B. Approval of March 21, 2024 Regular Meeting Minutes**

<p>On MOTION by Mr. Hahaj and seconded by Mr. Jinks, with all in favor, the Consent Agenda Items, as presented, were accepted and approved, as listed.</p>

FIFTH ORDER OF BUSINESS

Consideration of Reserve Study Proposals

Mr. Haskett presented a summary of the three proposals submitted to perform a Reserve Study, to include roadways, sidewalks, signage, stormwater infrastructure and pond amenities. Community Advisors, LLC, bid \$4,200.

Ms. Brown stated that she has experience with Community Advisors. In her opinion, a Reserve Study is a helpful reference for on-site staff and Supervisors to know the useful life and replacement cost of District assets and anticipated repairs or replacements.

Mr. Haskett stated he is very familiar with Reserve Advisors, from his time in Celebration; the Reserve Advisors Reserve Study was very useful, constantly referenced and well-organized regarding component replacements. Reserve Advisors bid \$5,300.

Mr. Haskett stated that Association Reserves was the highest bidder at \$8,480. He is familiar with Association Reserves, which performed both the 2020 Reserve Studies for the residential associations and the commercial associations, which will be revised this year and will also be sent out to bid. If the Board would like a recommendation, his preference would be to engage Reserve Advisors. Mr. Hahaj asked if that is the vendor the District engaged last time. Mr. Haskett replied no; Association Reserves, the highest bidder, was engaged the last time.

Ms. Brown stated that she has utilized Reserve Advisors and thinks their Reserve Studies are well done and well laid out. In the coming months, the Association Boards will re-bid their Reserve Studies. She does not think that there is a need to restrict them to one vendor.

The Board and Staff discussed the proposals and whether there is a need to consolidate the vendors and use the same vendor used by the POAs. Mr. Haskett feels that the current Reserve Study layouts are more challenging and that each company structures theirs differently. He noted that Reserve Advisors provides ample backup and reasons for the components that need to be replaced. In his experience, updates are performed by the same engineer and staff, providing continuity; he is not certain that Association Reserves offers the same. Ms. Brown thinks Community Advisors offers to provide the same support.

Ms. Brown voiced her opinion that both Community Advisors and Reserve Advisors are strong bidders that provide great products and reports; she will defer to Mr. Haskett's preference to engage Reserve Advisors, as he will be the Staff member using the Study.

Mr. Hahaj asked if this expenditure is budgeted. Ms. Brown stated that the Reserve Study is an unbudgeted expense; she suggested that now is the time to build a reserve fund for the assets addressed in the Study.

Discussion ensued regarding whether to defer the Reserve Study and justification of not delaying it, given the POA's requirement to perform a Reserve Study every three to five years.

On MOTION by Mr. Hahaj and seconded by Mr. Hord with all in favor, the Reserve Advisors proposal for a Reserve Study, in the amount of \$5,300, was approved.

SIXTH ORDER OF BUSINESS

Consideration of The Greenery of North Florida, Inc. Second Amendment to Landscape and Irrigation Maintenance Agreement

Mr. Haskett distributed and presented the updated Addendum, with Exhibit A, and The Greenery of North Florida, Inc. Second Amendment to Landscape and Irrigation Maintenance Agreement.

On MOTION by Mr. Jinks and seconded by Ms. Northrup with all in favor, The Greenery of North Florida, Inc. Second Amendment to Landscape and Irrigation Maintenance Agreement, as amended, was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2024-24, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses and Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing Emergency Expenses; Providing for Ratification of Such Expenses; and Providing for Severability and an Effective Date

Mr. Torres presented Resolution 2024-04. Ms. Rigoni stated this Resolution formalizes current administrative procedures occurring between meetings and limits Management's expenditures on non-continuing expenses to \$10,000 with approval of the District Manager and \$15,000 with approval of the District Manager in consultation with the Chair. These limits are consistent with recommendations for Stewardship Districts of this size.

On MOTION by Mr. Hahaj and seconded by Mr. Hord, with all in favor, Resolution 2024-24, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses and Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing Emergency Expenses; Providing for Ratification of Such Expenses; and Providing for Severability and an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

**Consideration of England-Thims & Miller,
Work Authorization No. 6 for Traffic
Calming Analysis**

Mr. Torres stated that this subject was discussed in previous meetings.

Mr. Brecht presented England-Thims & Miller Work Authorization No. 6 for a Traffic Calming Analysis to evaluate current development, speed limits, traffic patterns and traffic counts. The Report to the Board can be used to inform the HOA, POAs and residents, who have requested speed bumps and more, and enable recommendations on traffic calming devices, such as speed humps, speed bumps, revisions to the right-of-way (ROW), graphics and other options. The scope includes an hourly fee schedule with an estimated fee of \$40,000.

It was noted that the scope of work will be coordinated with the Landowner, as it will affect what is built and planned in the future. Mr. Brecht stated that work will also be coordinated with Staff and the County.

Discussion ensued regarding the exclusion of non-District roads, such as Wildlight Avenue, Curiosity Avenue, Crosstown Avenue and the alleys. Mr. Brecht stated they will still be considered in relation to the overall traffic pattern; however, no improvements can be made.

It was noted that both temporary and permanent measures, both during development and long-term, should be articulated. It was noted that the finished product will be specific recommendations at specific locations. Additional work will be needed for construction documents, etc.

Mr. Torres stated there will be numerous unfunded expenditures in Fiscal Year 2024, including the golf cart and erosion repairs. The last Deficit Funding Agreement with the Landowner/Developer was in Fiscal Year 2019; he recommended considering a Deficit Funding Agreement, in the event the General and Special Revenue Funds are inadequate to fund these items. He discussed the Unaudited Financials and noted that further recommendations will be provided.

Ms. Brown recommended the Board review the budget for this type of expenditure. She noted that the proposed Fiscal Year 2025 budget is being drafted and the Board can consider deferring items to the next fiscal year. The Traffic Enforcement Agreement is in progress; once executed and in circulation, the Sheriff's Office will assist in enforcing speed limits. She and Ms. Rigoni have discussed the possibility of engaging the Sheriff's Office to address speeding.

Discussion ensued regarding prioritization of and funding for the project.

On MOTION by Mr. Hahaj and seconded by Mr. Hord with all in favor, England-Thims & Miller Work Authorization No. 6 for a Traffic Calming Analysis and requesting the financial analysis and follow up with any resulting Developer Funding Agreement, were approved.

NINTH ORDER OF BUSINESS

Consideration of Wildlight Residential Association's Request for Acquisition of Coin Toss Pond, Mobility Trail & Trail Easement located within POD 4N

Ms. Rigoni stated that Mr. Hahaj sits on the Board of the HOA. These improvements were part of the District's Capital Improvement Plan (CIP) that was inadvertently turned over to the Residential Association. This is a cleanup item to convey the title to the correct party. There is no Acquisition Agreement between the Residential Association and the District that would govern this specifically; the same general process and documentation that all parties are subject to would be followed. Because there is no Acquisition Agreement, no bond funds will be spent; it is an administrative cleanup transfer request. The improvements are a stormwater pond, mobility trail, easement, and a portion of the Florida Power & Light (FPL) trail.

It was noted that mobility trails are not intended to be private; the District is the intended owner, rather than the Residential Association.

On MOTION by Mr. Jinks and seconded by Ms. Northrup, with all in favor, Wildlight Residential Association's Request for Acquisition of Coin Toss Pond, Mobility Trail & Trail Easement located within POD 4N, was approved.

On MOTION by Mr. Hahaj and seconded by Mr. Jinks, with all in favor, authorizing Mr. Jinks to work with District Staff to finalize acquisition, was approved.

TENTH ORDER OF BUSINESS

Consideration of Vallencourt Construction Co. Inc. Crosswalk Proposal [Floco Ave. at Slash Pine Place]

Mr. Haskett presented the Vallencourt Construction Co. Inc. Crosswalk Proposal for Floco Avenue at Slash Pine Place to provide safe access to mailboxes across the street. The total bid price is \$16,319.66. In addition, Harbinger proposed \$4,400 for additional signage as part of the project; the bid includes tax, so the total would be reduced accordingly to remove tax.

It was noted that this is a resident-requested unbudgeted expense.

The consensus was to table this item, pending completion of the Traffic Study.

ELEVENTH ORDER OF BUSINESS

Consideration of PDP 4, Series 2024 Project Items:

Ms. Rigoni presented the following and recommended approval in substantial form:

- A. Acquisition Agreement by and between the District and Wildlight LLC, Regarding the Acquisition of Certain Work Product, Infrastructure and Real Property [Garden District Phase 1]**
- B. Assignment of Chester Road Widening Project Construction Agreement with Vallencourt Construction**
- C. Temporary Construction Easement for Chester Road Widening Project**

On MOTION by Mr. Jinks and seconded by Mr. Hord with all in favor, the Acquisition Agreement by and between the District and Wildlight LLC, Regarding the Acquisition of Certain Work Product, Infrastructure and Real Property for Garden District Phase 1; the Assignment of Chester Road Widening Project Construction Agreement with Vallencourt Construction; and the Temporary Construction Easement for Chester Road Widening Project, all in substantial form, were approved.

TWELFTH ORDER OF BUSINESS

Public Comments (limited to 3 minutes per person)

No members of the public spoke.

THIRTEENTH ORDER OF BUSINESS

Development Update/Staff Reports

A. Developer

Ms. Brown discussed and requested the following:

- Next meeting agenda item: Discussion of Curiosity Phase 3
- Asked for on-site staff to have access to Resolutions, Agreements and minutes.
- Next Agenda Discussion Item: District Engineer to explore and advise the District and Landowner regarding next steps from 4 O'clock Park to Coin Toss Park to accommodate pedestrians, bicyclists and golf cart usage.

Ms. Brown asked if there is a way to avoid a gap in landscaping and pond management services between when conveyances occur. Ms. Rigoni stated that maintenance proposal items can always be approved in advance, with the assumption that the transfer will finalize, so long as these actions occur in tandem. Timing can be addressed by starting maintenance one month before conveyance; she relies on Field staff's information as to when to prepare Addendums for proposals.

Discussion ensued regarding the three tracts conveyed today, which could have included proposals in the agenda, and that these activities could have been preapproved.

Ms. Rigoni stated she will review the Agreement and propose an Amendment. The Operation & Maintenance (O&M) does not squarely fit with the Capital Improvement side; this might also be addressed in the Developer Request Letter, where the District can request that they include a statement such as "In conjunction with the conveyance, we would like to request the District start the maintenance takeover." The letter would inform the District of the outline for that particular conveyance, with regard to O&M.

Regarding the Mobility Trail, Mr. Hahaj thinks the District Engineer will need to review the matter and provide recommendations regarding signage and other features to ensure that there are no conflicts or issues. Asked if it is that simple or if something needs to be rebuilt, Ms. Brown voiced her belief that this is a conversation for the Development Team, to determine how best to assist the District in looking at that tract and creating a hybrid. It was noted that this is another unbudgeted expense and the intent is not to set a precedent whereby infrastructure is conveyed and then enhanced in some way.

B. District Counsel: Kutak Rock LLP

Ms. Rigoni stated that she is working with the Landowner on developing an approach to take over some Mobility Trail areas that are in spots that will trigger zoning or other development issues. Typically, where bond funds are spent, the District gets the underlying

land under the improvements that are paid for in the title but that might not be feasible in cases where a setback issue might roll over into other complex issues. She will work with the Developer because, while perpetual easements for public improvements have generally been allowed, it has not been allowed in this instance. Bond Counsel will need to sign off to ensure that all entities involved are protected.

Discussion ensued regarding focusing on parcelizing and fee simple transactions in the future. It was noted that a plan is needed going forward.

C. District Engineer: England-Thims & Miller, Inc.

There was no report.

D. Field Operations: CCMC

The Monthly Operations Report was included for informational purposes.

Mr. Haskett provided a picture of a trail that runs along a pond recently conveyed to the District. He stated that vehicles from outside the community access the trail to the back side of the pond for fishing and other activities. He asked for bollards or a gate to be installed to prevent large vehicles from accessing the area, while still allowing bicycle and pedestrian access. It was noted that the Developer is working to address the issue expeditiously. It was confirmed that the District has title to the trail that runs all the way to the commerce park.

Mr. Haskett provided a \$23,751 proposal for dock erosion repairs provided by Chris Hill of Wildlight. The plan would provide an extension of the dock as more of a ramp, with alterations to add a railing that would make it Americans with Disabilities Act (ADA) accessible. The proposal would correct the issue of washout. Mr. Brecht stated he received the proposal yesterday; from what he sees, he has no objections and recommended consulting Mr. Jeff Brooks. Mr. Haskett stated Mr. Brooks was present with the dock company representative and had input regarding the proposal. Mr. Brecht recalled that there were previous erosion issues; the installation has been problematic over the years.

A Board Member asked for a sketch to be included in the proposal.

A Board Member suggested a temporary solution be implemented, for safety purposes, before the permanent solution can be undertaken, since this is another unbudgeted expense.

Discussion ensued regarding funds in the operating account at the start of Fiscal Year 2024 and three months' working capital that was established to pay for expenditures that occur at the beginning of the fiscal year before assessment revenue collections are received.

Mr. Torres discussed the Board’s decision to use unassigned funds to avoid an assessment increase in the previous fiscal year and stated approximately \$19,000 remains in the “Repair and maintenance” line item.

Managing unbudgeted expenditures, spend tracking and the goal of avoiding the need to amend the budget were discussed.

A Board Member suggested providing a summary of remaining funds and funds spent to aid in the approval process when such requests are presented.

Mr. Haskett stated that he met with representatives from Egis, the District’s insurance company, for a risk management walkthrough at the end of March. No critical issues were found; two recommendations will be provided later.

Ms. Brown asked for the Report to be distributed to the Board and Staff.

E. District Manager: Wrathell, Hunt and Associates, LLC

I. 977 Registered Voters in District as of April 15, 2024

II. NEXT MEETING DATE: May 16, 2024 at 10:00 AM

○ QUORUM CHECK

Supervisors Hahaj, Jinks, Northrup and Hord confirmed their attendance at the May 16, 2024 meeting.

FOURTEENTH ORDER OF BUSINESS

Board Members’ Comments/Requests

The Board and Staff discussed the new electronic submission requirement for Form 1.

Mr. Torres advised that Supervisors must register for an account with the Florida Commission on Ethics (FCOE) and stated he will email a link to Ms. Northrup.

Ms. Rigoni recommended Supervisors complete the free ethics training courses offered by the FCOE. Coursework completed in 2024 will be notated when filing Form 1 in 2025.

FIFTEENTH ORDER OF BUSINESS

Public Comments


No members of the public spoke.

SIXTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Hahaj and seconded by Mr. Jinks, with all in favor, the meeting adjourned at 11:01 a.m.


Secretary/Assistant Secretary


Chair/Vice Chair