

**OCEAN HIGHWAY AND PORT AUTHORITY**  
**ATTORNEY REPORT**  
**06/2017**

1. City of Fernandina Beach:

a. Port Master Plan – There has been no activity in regard to the City and its Comprehensive Land Use Plan as it relates to the existing Port Master Plan. I met with City Attorney Bach on Monday, May 15, 2017, and believe that there will be no immediate action on this matter. It may be best that we hold off on any action until we get into the next cycle for an update of this plan;

b. PILOT payments: I believe that we have completed the distribution stage and will delete this item from my future reports..

c. Waterfront Redevelopment: I attended a meeting on Friday (May 12) out at White Oak to discuss oyster restoration in the St. Marys watershed. Rebuilding this portion of the commercial seafood industry as a piece of our economic foundation may be something to which OHPA may wish to contribute. I then discussed the matter with City Commissioner/Vice Mayor Kreger. I believe that he wishes to address you on this matter.

2. Callahan - Nothing to report.

3. Hilliard - Callahan Corridor: Nothing to report.

4. Yulee – Nothing to report.

5. Nassau County – Nothing to report.

6. Camden County – I had lunch with Chris Ragucci on Wednesday, May 17. He advises that they are making slow progress but have not yet found an anchor tenant. At the time of our meeting our charter revision had not hit the desk of Governor Scott and so I was not able to advise him in regard to the express concerns regarding our doing any business in the State of Georgia;

7. Legislative, Charter Revision– The local bill was passed by the legislature but Governor Scott vetoed the same.

8. Legislative, Funding Request – The funding bill was passed by the legislature but Governor Scott vetoed the same..

9. Port Operator/Operating Agreement: I had a telephone discussion on this topic with Stephen DuBose of Kinder Morgan on June 12.

10. Thank you all for your many kind words, thoughts, and prayers. All test results have been good, but I will not know until tomorrow whether or not I will require any corrective surgery. It

has been a quiet month, which I needed. In addition to the above matters, I had the following:

a. On May 23 I was contacted by Stanley Scott. He is a resident of Ocala but owns land here in Nassau County. I have represented him and other Scott family members for a good many years. Here is what he asks: His mother placed a conservation easement on a parcel of marshland located east of O'Neil-Scott Road. This conservation easement is in favor of OHPA and FDEP, and this easement formed part of the mitigation for the construction of the Port of Fernandina. He would like to modify the easement so as to allow the construction of one (1) single-family dock from his adjacent uplands over to the deeper waters behind Piney Island. As additional consideration he would place a conservation easement in favor of OHPA and FDEP on an additional 30 acres of marshland.

I have advised him that I represent OHPA and that I would have to advise you of his query as it could give rise to a potential conflict of interest or "appearance of impropriety" if not disclosed. If there is any objection to my participation in any discussion of this matter then the rules of the Florida Bar will require that I refrain from advising either party. In other words, in the event of any conflict of interest I cannot pick a side. Instead, I have to refrain from assisting either side;

I have advised Mr. Scott and I also advise you that any modification or waiver of this conservation easement will require the express consent of FDEP. Even if it is agreeable for me to pursue the matter, nobody can guarantee that FDEP will agree to any modification.

b. I had lunch with Chairman Salzburg on May 23;

c. I attended the Special Meeting of OHPA at their offices on May 24;

(I only went to "c" this time. Last month I went to "g" and the month before I went all the way to "m")

Respectfully submitted,

CLYDE W. DAVIS /S/

OCEAN HIGHWAY & PORT AUTHORITY  
 STATEMENT OF CASHFLOW & INCOME  
 FOR YEAR ENDED DECEMBER 31,2017

MAY	5	2017 MAY	2017 YTD	2016 YTD	BUDGET YTD	BUDGET 12/31/17
<b>REVENUE EARNED</b>						
-DOCKAGE		26,700	160,370	106,903	187,500	450,000
-WHARFAGE		65,133	355,433	180,210	476,708	1,144,100
-USE FEE		32,971	184,292	99,159	244,675	587,220
<b>TOTAL REVENUE EARNED</b>		<b>124,804</b>	<b>700,095</b>	<b>386,272</b>	<b>908,883</b>	<b>2,181,320</b>
<b>OPERATING EXPENDITURES</b>						
-CITY ANNUAL FEE		100,000	100,000	0	0	0
-RAIL ROAD FEE		0	0	0	0	0
-TRUSTEE FEE		0	14,050	13,710	5,417	13,000
-CONSULTING & DUES		0	3,750	0	8,333	20,000
-INSURANCE		0	0	(1,975)	3,750	9,000
-WELLS FARGO LETTER OF CREDIT FEE		0	0	204,006	75,000	180,000
- AUDIT FEES		0	25,200	24,600	10,417	25,000
-OTHER EXPENSES- BOND RELATED		0	6,406	6,500	10,417	25,000
-CONSTRUCTION EXPENDITURES		0	0	0	6,250	15,000
<b>TOTAL EXPENDITURES</b>		<b>100,000</b>	<b>149,406</b>	<b>246,841</b>	<b>119,583</b>	<b>287,000</b>
<b>MAINTENANCE RESERVE</b>		<b>5,000</b>	<b>25,000</b>	<b>30,000</b>	<b>43,750</b>	<b>105,000</b>
<b>OPERATING INCOME</b>		<b>19,804</b>	<b>525,689</b>	<b>109,431</b>	<b>745,550</b>	<b>1,789,320</b>
<b>INTEREST INCOME</b>		<b>73</b>	<b>238</b>	<b>7</b>	<b>0</b>	<b>0</b>
<b>NET INCOME (Before Interest)</b>		<b>19,877</b>	<b>525,927</b>	<b>109,438</b>	<b>745,550</b>	<b>1,789,320</b>
LESS:REVENUE HELD BY NASSAU TERM		124,804	700,095	386,272		
ADD:REVENUE PAID BY NASSAU TERMINALS		271,669	799,453	389,710		
ADD:ADVANCE BY NASSAU TERMINALS		0	0	0		
<b>NET CASH FLOW</b>		<b>166,742</b>	<b>625,285</b>	<b>112,876</b>	<b>745,550</b>	<b>1,789,320</b>
<b>BOND INTEREST PAYMENT DUE FROM REVENUE</b>						
<b>TOTAL INTEREST DUE</b>						
		13,662	36,414	1,571	7,500	18,000
FUNDS TRANSFERRED FROM INTEREST FUND		0	0	(1,571)		
TOTAL SWAP PAYMENT DUE		0	0	0	0	0
<b>NET BALANCE DUE</b>		<b>13,662</b>	<b>36,414</b>	<b>0</b>	<b>7,500</b>	<b>18,000</b>
PRIOR YEAR'S CASH FLOW CARRYOVER		0	74,358	187,348	74,358	74,358
CURRENT YEAR'S CASH FLOW (YTD)		166,742	625,285	112,876	745,550	1,789,320
Less Principal Amortization (Restricted)		0	0	0		(1,700,000)
Add Interest Fund used for Bond Principal Amort.		0	0	0		0
Less Advance Use Fee Amortization		0	0	0	0	(100,000)
<b>AVAILABLE CASH FOR MONTHLY PYMT</b>		<b>166,742</b>	<b>699,643</b>	<b>300,224</b>	<b>819,908</b>	<b>63,678</b>
<b>CASH BALANCE AFTER MONTHLY PYMT</b>		<b>153,080</b>	<b>663,229</b>	<b>300,224</b>	<b>812,408</b>	<b>45,678</b>

Summary

Revenue Fund	663,229
Interest Fund	6,855
Redemption Fund	10
	<b>670,094</b>

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# Ocean Highway & Port Authority

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## Maintenance Trust Account

Calendar Year Ending December 31, 2017

May 5

Proceeds	Month of	
	May	YTD
Transfer from Revenue Fund	5,000	25,000
Contribution from Nassau Terminals	0	0
FDOT	0	0
Interest Income	35	98
<b>Total Proceeds</b>	<b>5,035</b>	<b>25,098</b>
<b>Expenditures</b>		
<b>Dock Fender System</b>		
-	0	0
-Fla Times	0	1,216
Scale & Customs Building Project		0
-FL Times	0	0
-Controls & Weighting Systems	0	0
Insulation Bid advertisement	0	0
-FL times	0	137
	0	0
FL Times	0	0
	0	0
CSX Easements	0	0
	0	0
	0	0
<b>Total Expenditures</b>	<b>0</b>	<b>1,353</b>
<b>Net Cash In/(Out) Flow</b>	<b>5,035</b>	<b>23,745</b>
<b>Opening Balance</b>	<b>215,847</b>	<b>197,137</b>
<b>Total Proceeds</b>	<b>5,035</b>	<b>25,098</b>
<b>Total Expenditures</b>	<b>0</b>	<b>1,353</b>
<b>May 31, 2017</b>	<b>220,882</b>	<b>220,882</b>

