

Ocean Highway & Port Authority

Robert Sturgess – Chairman, Commissioner, District 1
Danny Fullwood – Vice Chairman, Commissioner, District 2
Scott Hanna – Commissioner, District 3
Carroll Franklin – Secretary/Treasurer, District 4
Mike Cole – District 5

Monthly Meeting Minutes

May 8, 2019

The Ocean Highway and Port Authority of Nassau County held its Monthly Meeting on Wednesday, May 8, 2019 in the County Commissioners Chambers at the James S. Page Government Complex, 96135 Nassau Place, Yulee, Florida 32097

The meeting was called to order at 6:04 PM by Chairman Sturgess.

The invocation was given and Pledge of Allegiance was led by Commissioner Fullwood. Roll call was conducted by Ms. Barbara Amergian. Commissioner Hanna was absent. Also in attendance was Jeb Branham, Port Attorney; Pierre LaPorte, Port Accountant; and Chris Ragucci, Port Operator. Laura DiBella, Port Director was not in attendance.

Commissioner Fullwood made the motion to accept the March 28, 2019 Special Meeting Minutes and the April 10, 2019 Monthly Meeting minutes as presented. There was no discussion. Motion passed unanimously.

Consent Item:

Renewal of website contract 2019-2020 with Michael Arnold for \$2,00 was tabled until the Commissioners reviewed the prior year contract against the 2019-2020 contract.

Port Accountant, Pierre LaPorte presented the April, 2019 Financials and the 3rd Quarter Financials. A partial quarterly payment \$13,500 was received from Worldwide Terminals in April. Auto-draft from the Operating Account for the Customs House water and the utilities bills has been set up, both should be effective in June.

Port Director, Laura DiBella represented her report. Ms. DiBella informed the Board that there is potential for another special guest visit to the Port in the coming months. Nothing to update on the Marine Highway Designation this month. In regards to FSTED grants - \$25m has been allocated to all seaports in the state and the deadline for grant applications is June 18th with notification of grant awards on August 27th with funds available July 1, 2020. There was notification of "surprise funds" last week through FSTED as \$2m was returned to the fund from a neighboring port. The Port of Fernandina was awarded \$350,000 of those funds with matching funds applicable which will be used towards maintenance and dredging. Ms. DiBella will discuss the Florida Ports Mutual Aid Agreement at the June meeting. Land and Sea, a large publication out of the UK, requested information to spotlight the Port of Fernandina in an upcoming publication. Ms. DiBella has been invited to speak at a conference in Singapore about the Port in August. There was no Board meeting for Economic Development this month. There is a Hurricane Preparedness meeting on May 15, 2019 from 8 am – 10 am. Laura will be moderating the meeting and will provide feedback to the Board.

The Commissioners presented Ms. DiBella with a plaque to show their appreciation for her continued successes and contributions to the Port of Fernandina and the citizens of Nassau County.

Chairman Sturgess recognized Attorney Robert McDonald from Tallahassee to address the request for transfer of property to ABP FL (Yulee) LLC.

Commissioner Franklin has concerns about the survey done on the strip of property in question and a licensed surveyor as opposed to a certified surveyor and does not want a law suit in the future if OHPA has authorized the quick quit claim deed on property that they did not own.

A recess was called at 6:49 PM. Meeting resumed at 6:58 PM (recording reflects 7:58 PM in error.)

Chairman Sturgess made the motion to authorize Commissioner Franklin to sign the quick quit claim deed when Commissioner Franklin is satisfied with the survey issue. Motion withdrawn due to Commissioner Franklin's travel schedule.

Commissioner Fullwood made the motion to accept the Quick Quit Claim Deed as presented. Fullwood voted yes. Cole and Franklin voted no. Motion failed.

Commissioner Fullwood made the motion to authorize Chairman Sturgess to execute the quick-quit claim deed contingent upon the attorney approval of the less and accept. Motion withdrawn.

Commissioner Cole made the motion to authorize Chairman Sturgess to sign the quick quit claim deed contingent upon attorney approval of the explanation as to why the property was still listed as OHPA ownership. Cole and Sturgess voted yes, Franklin and Fullwood voted no. Motion failed due to deadlock.

Commissioner Fullwood made the motion to accept the Quick Quit Claim Deed as presented. Motion failed, 1 to 3.

A special meeting will be called to execute the Quick Quit Claim Deed once Commissioner Franklin is satisfied with the issue of the survey.

Port Attorney, Jeb Branham presented his report. Conduit Issue on the Bonds still ongoing, there is a resolution under new business to be addressed. There is a draft resolution for purchasing and procurement procedures for review and approval. Attorney Branham informed the Commissioners that there is a joint workshop scheduled on July 9th at 3 PM at the City Hall to discuss the City's flood mitigation ordinance and that all should plan on attending.

Port Operator, Chris Ragucci presented the April tonnage report. Mr. Ragucci reported that tonnage was up in the month of April and things are moving in the right direction. He informed the Board that the conduit bonds have been posted and are being reviewed by investors with a potential closing date at the end of the month.

Commissioner Fullwood made the motion to accept Resolution 2019-08: A RESOLUTION OF THE OCEAN HIGHWAY AND PORT AUTHORITY, NASSAU COUNTY, FLORIDA TO EXTEND THE LATEST DATE FOR PERFORMANCE FOR RESOLUTION 2019-R03 THAT CLARIFIED DUE DATES FOR ANNUAL AND PERIODIC PAYMENTS UNDER THE CURRENT OPERATING AGREEMENT WITH NASSAU TERMINALS, LLC TO JUNE 15, 2019 AND PROVIDING FOR AN EFFECTIVE DATE. Motion approved unanimously. There was

discussion about amending the original Resolution 2019-R03 and the figures owed to OHPA from Worldwide Terminals will need to be adjusted at the time of the due date.

Mr. Ragucci informed the Board that the fee due to OHPA as the conduit issuer is set at \$65,000 with a \$2,000 annual administrative fee. **Unanimous consent was given to accept the conduit bond fee and the annual administrative fee.**

Unfinished Business:

The Conservation Wetlands request from City Commissioner Ross, changing the zoning on the FLUM from easement to conservation zoning was discussed again. Attorney Branham made the recommendation that FLUM stay unchanged, he has not been able to determine what benefit it would be to the City and to OHPA and may have an adverse effect in the future.

Chairman Sturgess recognized Rick Ferrin of TranSystems to discuss the proposed service contract with TranSystems. Chairman Sturgess asked Mr. Ferrin to draw up a contract for review at the June, 2019 monthly meeting.

New Business:

Commissioner Cole made the motion to accept Resolution 2019-07: A RESOLUTION OF THE OCEAN HIGHWAY AND PORT AUTHORITY, NASSAU COUNTY, FLORIDA TO ADOPT PURCHASING AND PROCUREMENT PROCEDURES; PROVIDING FOR AUTHORITY, THRESHOLDS FOR EXPENDITURES OF FUNDS, DELEGATION OF AUTHORITY, QUOTATIONS AND COMPETITIVE PROCUREMENT PROCEDURES, EXEMPTIONS TO COMPETITIVE PROCUREMENT AND BID PROCEDURES, PROVIDING A CONFLICTS CLAUSE, AND A SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE. The motion was unanimously approved.

Commissioner Cole made the motion to accept Resolution 2019-09: A RESOLUTION OF THE OCEAN HIGHWAY AND PORT AUTHORITY, NASSAU COUNTY, FLORIDA TO AMEND OHPA RESOLUTION 2014-2 TO PROVIDE FOR CHARGING FOR PERSONNEL TIME SPENT RESPONDING TO PUBLIC RECORDS REQUESTS AFTER 20 MINUTES INSTEAD OF 30 MINUTES; AND PROVIDING AN EFFECTIVE DATE. The motion was unanimously approved.

There was discussion regarding the email from Chip Ross to Laura DiBella with specific questions regarding a grant proposal. Port Attorney Barnham informed the Board that those questions had all been addressed in workshops and through public meetings and discussions with the City Attorney.

Committees:

Port Security – Commissioner Fullwood – nothing to report this month.

Customs House – Commissioner Franklin – nothing to report this month.

Economic Development – Commissioner Fullwood – nothing to add after Ms. DiBella's report.

Ms. DiBella is looking into the Economic Study proposal for Worldwide Terminals.

Emergency Management – Commissioner Franklin – nothing to report this month.

Technical Coordinating Committee – Commissioner Hanna was absent.

TPO – Commissioner Cole reported that the May meeting had been cancelled.

Nassau Chamber East Side – Commissioner Sturgess – nothing to report.

Nassau County West Side – Commissioner Cole attended the meeting last Thursday and informed the Board that next month's meeting will be held at Trader Hill Farms.

Other Items to be brought by Commissioners: Commissioner Fullwood thought it would be prudent to look into purchasing tablets for the Commissioners to utilize in the future for meetings and OHPA business.

There were no other issues to be brought before the Board,

Meeting was adjourned at 8:11 PM.



Robert H. Sturgess, Chairman