



OCEAN HIGHWAY & PORT AUTHORITY

NASSAU COUNTY

REVISED AGENDA

Wednesday, December 11, 2019

6:00 PM

**Commissioner Chambers
James Page Government Complex
96135 Nassau Place, Yulee, FL 32097**

6:00 PM – Meeting Called to Order – Chairman

Invocation – Commissioner Cole

Pledge of Allegiance – Commissioner Cole

Roll Call: Robert Sturgess, District 1; Danny Fullwood, District 2, Scott Hanna, District 3; Carrol Franklin, District 4; Mike Cole, District 5

- Comments - Audience (Sign in sheets on the Press Table)

1. Approval of Minutes

- November 13, 2019 Monthly Meeting Minutes

2. Consent Items

- None

3. Report by Pierre LaPorte

- Financial Report – November 2019

4. Report by Jeb Branham, Port Attorney

5. Report by Laura DiBella, Port Director

6. Port of Fernandina Report

- Tonnage Report – November 2019

7. Unfinished Business

- Tradeplex Sign Update

8. New Business

- Discussion - Port Master Plan
- Discussion - Appointment of Port Director
- Dedication Plaque/Sign at Customs House
- Monthly Workshops

Committee Reports

- Port Security – Commissioner Fullwood
- Customs House – Commissioner Franklin
- Economic Development – Commissioner Fullwood
- Emergency Management – Commissioner Franklin
- Technical Coordinating Committee – Commissioner Hanna
- TPO – Commissioner Cole
- Nassau Chamber East Side – Commissioner Sturgess
- Nassau Chamber West Side – Commissioner Cole

9. Administrative Office Manager Report

10. Other items to be brought by Commissioners

11. Adjourn

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Fla. Stat. § 286.0105.

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

November 13, 2019

The Ocean Highway and Port Authority of Nassau County held its Monthly Meeting on Wednesday, November 13, 2019 the County Commissioners Chambers at the James S. Page Government Complex, 96135 Nassau Place, Yulee, Florida 32097.

The meeting was called to order at 6:01 PM by Chairman Sturgess.

The invocation was given and Pledge of Allegiance was led by Commissioner Cole. Roll call was conducted by Ms. Barbara Amergian. All Commissioners were present. Also in attendance was Jeb Branham, Port Attorney; Laura DiBella, Port Director; Chris Ragucci, Port Operator; Pierre LaPorte, Port Accountant was absent.

Chairman Sturgess recognized Chip Ross, 210 N. 3rd Street, Fernandina Beach, Florida. Mr. Ross asked the Board about the potential cruise ship that requested dockage at the Port. His concerns were security, bussing of the 300 passengers, and that the deed conveyed from CCA (Container Corporation of America) to OHPA indicates that there will be Cargo Handling Only at the Port. Mr. Ragucci informed the Board ahead of his report that the Victory Cruise Line has contacted him to reserve six dates in 2020. The ship is a maximum of 300 passengers and 130' in length. He will report back on any progress with this proposal.

Chairman Sturgess recognized Joe Blanchard, 593 Amelia Circle, Fernandina Beach, Florida. Mr. Blanchard is a member of the Marine Advisory Committee and asks the OHPA Board to consider abandoning the channel south of the Port than moving it or turning the local sponsorship over to FIND to sponsor the channel.

Chairman Sturgess recognized Jason Sessions, 1488 Plumosa Drive, Jacksonville Beach, Florida. Mr. Sessions is a tenant at the Nassau Tradeplex in Yulee. He would like to address the lack of signage at the Tradeplex which is detrimental to his boat storage business. Port Attorney Branham reported that the County has okayed the OHPA administering the signage; however, the County will still need to issue the permit. Mr. Session indicated that his contribution to the sign would be painting, landscaping and covering the cost of adding his sign to the placard, about \$3,500.

The minutes of the October 9, 2019 meeting and the October 23, 2019 workshop unanimously approved.

Chairman Sturgess recognized Beau Corbett, Project Manager with the Army Corp of Engineers for the Fernandina Harbor Federal Channel Project. Mr. Corbett gave an overview of the re-alignment issues with the channel and the Section 216 request. In regards to the re-alignment issue, he reported that the cost of moving the channel falls on the sponsor – which is OHPA. Chairman Sturgess asked if the costs were to be passed on to another entity (City of Fernandina) – is there language that needs to be included to present the request. Mr. Corbett indicated that there is a model agreement that could be used to cover the financial issue and the Corp of Engineers still needs a letter from OHPA to start the realignment process. In

response to Mr. Blanchard's request to consider abandoning the channel, Mr. Corbett informed the Board that that would take an act from Congress. Port Attorney Jeb Branham reported that he had met with City Attorney Tammi Bach and she is going to prepare an interlocal agreement to agree to pay the cost for the channel re-alignment.

In regards to Section 216, Mr. Corbett reported that the OHPA has begun the process with the letter from Chairman Sturgess on October 24 2019, he will request funding to complete the initial appraisal to determine if there is a federal interest and what the benefits are to the dredging. The benefits have to outweigh the cost. Factors would be more vessel traffic, new industry, etc. The Corp of Engineers will need assistance with telling the story and he will reach out when and if that information is needed. If approval is given, a new start study will be initiated on the national level. Congress will make the selection and the appropriation. If selected, there is a 50/50 split for the study and the cost is \$1.5 million each. The Chief's Report will go to Congress, Congress will review and authorize to build the project and will advise what is to be funded from the report. The time frame is approximately 5-10 years to completion.

His recommendation for non-Federal sponsors was the importance of getting the information out and "telling the story" to Congressional liaisons and to the Army Corp of Engineers. If the need is not understood, the Federal Government won't be able to help.

Other avenues for appropriation which include Section 203 or Section 204F. Using Section 203, the local sponsor would do their own study and would submit the study to the Assistant Secretary of Army for Civil Works and if approved, the sponsor may be able to have the study submitted to Congress. Using this method, if authorized by Congress, a \$1.5 million credit could be issued. Using Section 204F, the local sponsor does the study and covers the cost of construction also. He has extensive information that he will share on these two avenues.

Mr. Corbett asked to be provided with action items to move forward after tonight's meeting; following up with him as to what he needs to provide.

Mr. Corbett also provided an update on the maintenance dredging request done two years ago – \$300,000 was awarded and a permit should be issued in 60-90 days. As soon as the funds are made available from Congress, the maintenance dredging will begin. The Emergency Action Request for the high spots has been received and begun. The timeframe should be about 6 months for that action – funds and permits still need to be obtained.

Joanne from Coursun and Stam presented the October Financials and 4th Quarter Financials in Port Accountant, Pierre LaPorte's absence.

Commissioner Fullwood made the motion to keep the \$150,000 line of credit open at BB&T. The line is secured by the \$108,000 surplus from the FDOT crane reimbursement. The motion is unanimously approved.

Chairman Sturgess recognized Jeb Branham, Port Attorney to present his report. Mr. Branham reported that he is still waiting to hear from City Attorney Tammi Bach on the PILOT payment to the City. A formal letter stating OHPA's decision was sent to the City and Attorney Branham believes the letter will be presented at the next City Commissioners Meeting.

Mr. Branham reported that the Fernandina Seafood issue is still in progress.

Chairman Sturgess recognized Laura DiBella, Port Director. Ms. DiBella is resigning from her position as Port Director and Economic Development Director. She anticipates the completion of the transition by the end of December, 2019. The Seaport Mission Plan submission is due on

Friday, November 15th – Mr. Ragucci stated that he will take care of the completion and submission. He asked Ms. DiBella to check on a possible extension date for submission. The Board requested to review the Plan before it is submitted.

There was discussion about requesting reimbursement of the monies paid to the NCEDB on behalf of Laura's compensation. **The Board unanimously agreed to not pursue reimbursement of the \$10,000 from the Department of Economic Development.**

Chairman Sturgess called for a recess at 7:27 PM. The meeting reconvened at 7:35 PM.

Chairman Sturgess recognized Chris Ragucci, Port Operator. Mr. Ragucci presented the October tonnage report. Tonnage was down for October. Mr. Ragucci reported on several potential new and returning customers for the Port.

Rick Ferrin, Vice President of TranSystems presented an update on upcoming and current projects at the Port:

Warehouse #1 - Developing the solicitation for design criteria packages to qualified design build teams to develop technical and price proposals. Survey and soil testing is complete and awaiting results. The design package will be reviewed with the City of Fernandina, this is a consultation not a permitting process. The design criteria should be posted on the OHPA website in early December for proposals. Mr. Ferrin anticipates a contract to be awarded in mid-March, 2020 and then 12-14 months to project completion. There are state grant funds awarded for this project - \$2.9 million with a 50/50 split. Worldwide Terminals is responsible for the 50% of split.

Wharf Repairs – Wharf repairs and the apron replacement project have been bundled. Authorization is needed from FDEP (Florida Department of Environmental project) and waiting for authorization from FDEP and Corp of Engineers under a Nationwide 3 permit. Mr. Ferrin is awaiting a proposal and will present to the Board in December if the proposal is favorable.

Berth Maintenance Dredging – 50% of the project has been completed. Project should be completed mid-December 2019.

There was a request to advertise in the Coast Guard Publication. The Board requested to know who is the demographics are and the request was tabled to the December meeting.

In other business, Chairman Sturgess reported that he had researched the Small Board Rules of Roberts Rules. He will not be drafting a set of Parliamentary rules specific to the OHPA as the SBR are working. He contacted certified parliamentarians (CRPs) and since we are a small board, Roberts Rules Small Board Rules do apply. There was discussion regarding allowing the Chairman to make a motion.

The Financial Update from Worldwide Terminals is tabled until December meeting based on the recommendation from Jeb Branham, Pierre LaPorte, and Commissioner Franklin.

Chairman Sturgess recognized Rick Ferrin again from TranSystems to discuss the administrative duties of the Port with Laura's departure under their continuing services contract. He offered to confer with the Port Attorney to modify the continuing services contract to cover the administrative services.

Commissioner Sturgess made a motion to accept the proposal at \$22.75 hour. Motion withdrawn; the quoted hourly rate was mistakenly taken from the Administrative Office Manager's employment agreement.

Mr. Ragucci is concerned about losing continuity with the projects after Ms. DiBella's departure however; he is willing to do take over the role as Port Director until it is no longer feasible. Mr. Branham asked that the motion be deferred until the December meeting so that he has an opportunity to investigate the legal implications of having Mr. Ragucci serve as the Port Director as well as being the Port Operator.

Commissioner Fullwood made the motion to allow Chris Ragucci to act as Port Director until a decision can be made in regards to replacing Ms. DiBella. Motion withdrawn.

Election of Officers

Commissioner Franklin nominated Commissioner Sturgess for a second term as Board Chairman for 2019-2020. Commissioner Hanna seconded the motion. Commissioner Sturgess stated he would not accept a second term without a unanimous vote;

Commissioner Cole nominated Commissioner Fullwood as Board Chairman for 2019-2020. Commissioner Sturgess withdrew his name for a second term as Board Chairman as it is not unanimous amongst the Commissioners. Commissioner Sturgess seconded the nomination for Commissioner Fullwood as Board Chairman for 2019-2020. Motion passed three votes to two votes. Commissioner Fullwood accepted the appointment.

Chairman Sturgess handed the remainder of the meeting over to newly elected Chairman Fullwood.

Commissioner Sturgess nominated Commissioner Cole as Vice Chairman for 2019-2020. Commissioner Hanna seconded the motion. The motion was unanimously approved.

Commissioner Franklin nominated Commissioner Hanna as Secretary/Treasurer for 2019-2020. Commissioner Cole seconded the motion. The motion was unanimously approved.

Committee Appointments for 2019–2020 are as follows:

Port Security – Commissioner Fullwood
Customs House – Commissioner Franklin
Economic Development – Commissioner Cole
Emergency Management – Commissioner Franklin
Technical Coordinating Committee (TCC) – Commissioner Hanna
TPO – Commissioner Cole
Nassau Chamber of Commerce West – Commissioner Franklin
Nassau Chamber of Commerce East – Commissioner Sturgess

Employment Agreement for Barb Amergian, Administrative Office Manager with an effective date of October 1, 2019. **Motion to approve the agreement made by Commissioner Sturgess. Motion seconded by Commissioner Cole. Employment agreement unanimously approved.**

Coursun and Stam Contract – **Motion to accept the contract for 2019-2020 made by Commissioner Sturgess. Motion seconded by Commissioner Hanna. Contract approved unanimously.**

Contract with Jeb Branham – Motion to accept the contract for 2019-2020 made by Commissioner Hanna. Motion seconded by Commissioner Franklin. Contract approved unanimously.

Ms. Amergian informed the Board that the January Board Meeting would need to be held in an alternate location due to renovation of the County Commissioners office. She offered several options and the Board decided on using the Nassau Room at the Florida State College at Jacksonville campus.

With no further business to come before the Board, the meeting adjourned at 8:44 PM.

Danny Fullwood, Chairman

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December 2019

There are no new legal issues. Below are updates on last month's near-term legal issues:

1. I have not heard from Fernandina Beach about whether the city council took action on OHPA's offer to make this year's payment and next year's \$50,000 payments if Fernandina Beach agrees that the payments end after next year.
2. We have heard nothing new on Jake Flowers's and Fernandina Seafood Company's expansion activities in several months. I assume they have what they need from OHPA.
3. We have not received a draft an interlocal agreement under which the City of Fernandina Beach would assume financial liability associated with the westward channel realignment.

ADMINISTRATIVE OFFICE MANAGER'S REPORT

November 2019

Hours Worked – 73 Hours

- Attended and completed meeting minutes for the November 13th monthly meeting.
- Attended City Commissioner Meeting on November 19th.
- Researched plaque/sign installation at Customs House
- Researched alternative meeting space for January 2020 monthly meeting
- Recognition gift and card
- All November invoices paid and entered into QuickBooks
- Responded to all emails and corresponding documents/letters
- Website Updates
- Office and electronic files – continued organization

Public Records Request Received – 0

Reminders:

- **January 8, 2020 Monthly Meeting will be held at the Nassau Center at the Florida State College at Jacksonville campus, 76346 William Burgess Boulevard, Yulee. We will be meeting in Room T126 at 6:00 PM.**
- **I am traveling from December 21st through December 29th.**