

**MINUTES OF MEETING
THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of The District Community Development District held a Regular Meeting on October 16, 2023, at 1:30 p.m., at 602 Shetter Avenue, Jacksonville Beach, Florida 32250.

Present at the meeting were:

Art Lancaster	Chair
John Dodson	Vice Chair
Jay Dodson	Assistant Secretary

Also present were:

Craig Wrathell	District Manager
Sarah Sandy	District Counsel
Bill Schilling	District Engineer
Mike Mullis	District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Wrathell called the meeting to order at 1:35 p.m.

Supervisors Lancaster, John Dodson and Jay Dodson were present. Supervisor Patton was not present. One seat remains vacant.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Item (limited to 3 minutes per individual)

There were no public comments.

THIRD ORDER OF BUSINESS

Consideration of Proposal to RFP for Phase 3B - CRA Project (Parks, Riverwalk and Streetscape Improvements)

Ms. Sandy presented her October 16, 2023 Memorandum related to the Third, Fourth and Fifth Orders of Business, and noted the following:

- The CDD advertised Requests for Proposals (RFP) for Phase 3B construction services for the CRA Projects and for the CDD Projects.

THE DISTRICT CDD

October 16, 2023

- One Proposal was received in response to each RFP, both from UCC Group, Inc. (UCC).
- UCC has worked with J.B. Coxwell Contracting, Inc., and considered as a potential subcontractor; UCC is familiar with the site.
- The Board’s options include rejecting the proposals and readvertising the RFPs or directly negotiating a contract.
- The UCC RFP responses for the CRA and CDD were reviewed thoroughly and deemed non-responsive for numerous reasons, including the bid amounts far exceeding budget and not completing the Bid Tabulation Sheet as required, as explained in the Memorandum.

Discussion ensued regarding the responses to the CRA and the CDD RFPs, insurance requirements for contractors, current contracts and reimbursements and the scope of work.

It was noted that the CDD received approximately \$4.5 to \$4.6 million in reimbursements for the sea wall for the bulkhead; that has been drawn down from the \$23 million so far. Approximately \$18 million remains in the CRA Escrow.

Discussion ensued regarding the bids and the scope of work.

On MOTION by Mr. Lancaster and seconded by Mr. Jay Dodson, with all in favor, rejecting UCC Group, Inc.’s September 29, 2023, proposal for Phase 3B (CRA) for failing to submit a responsive proposal for the reasons provided by District Counsel and identified in more detail in Counsel’s Memorandum dated October 16, 2023, was approved.

FOURTH ORDER OF BUSINESS

Consideration of Proposal to RFP for Phase 3B - CDD Project (Streetscape Improvements)

On MOTION by Mr. Jay Dodson and seconded by Mr. John Dodson, with all in favor, rejecting UCC Group, Inc.’s September 29, 2023, proposal for Phase 3B (CDD) for failing to submit a responsive proposal for the reasons provided by District Counsel and identified in more detail in Counsel’s Memorandum dated October 16, 2023, was approved.

Ms. Sandy stated, since no responsive bids were received, the CDD can either pursue public procurement or direct Staff to negotiate directly with UCC or with other contractors.

Discussion ensued regarding negotiating with UCC and others.

On MOTION by Mr. John Dodson and seconded by Mr. Jay Dodson, with all in favor, authorizing and directing District Staff and the Chair to engage in direct contract negotiations to procure construction services for the Phase 3B (CDD) Project for the following independent reasons: (1) The District received no responsive proposals in response to the RFP; (2) Under District Rule of Procedure 3.5(6)(B) the funding source of the project will be diminished or lost because the delays associated with competitive bidding these services again exceeds the time within which the funding source must be spent, was approved.

FIFTH ORDER OF BUSINESS

Discussion Regarding Construction Services for the Phase 3B CRA Project (Parks, Riverwalk and Streetscape Improvements) and Phase 3B CDD Project (Streetscape Improvements)

On MOTION by Mr. John Dodson and seconded by Mr. Jay Dodson, with all in favor, authorizing and directing District Staff and the Chair to engage in direct contract negotiations to procure construction services for the Phase 3B (CRA) Project for the following independent reasons: (1) The District received no responsive proposals in response to the RFP; (2) Under District Rule of Procedure 3.5(6)(B) the funding source of the project will be diminished or lost because the delays associated with competitive bidding these services again exceeds the time within which the funding source must be spent, was approved.

SIXTH ORDER OF BUSINESS

Ratification of The District – CRA Infrastructure Budget dated June 27, 2023

Mr. Schilling presented the budget developed in conjunction with the City. Upon City approval and adoption of the budget, the City will be in a position to reimburse the CDD for expenses beyond the bulkhead, related to roadways, roundabouts, etc. The budget presented was approved by City staff and the Downtown Investment Authority (DIA).

On MOTION by Mr. Jay Dodson and seconded by Mr. John Dodson, with all in favor, The District – CRA Infrastructure Budget dated June 27, 2023, was ratified.

SEVENTH ORDER OF BUSINESS

Consideration of Placement Agreement with VCTC Tax Credit Broker

Ms. Sandy discussed the pending sale of VCTC tax credits and requested authorization to proceed with Fallbrook and Clocktower as the CDD’s VCTC Tax Credit Broker.

On MOTION by Mr. Jay Dodson and seconded by Mr. John Dodson, with all in favor, authorizing District Counsel to proceed with Fallbrook and Clocktower as the CDD’s VCTC Tax Credit Broker, was approved.

EIGHTH ORDER OF BUSINESS

Discussion/Consideration: November Meeting Date (prior to Thanksgiving)

Discussion ensued regarding the need for a November meeting date.

On MOTION by Mr. John Dodson and seconded by Mr. Lancaster, with all in favor, scheduling a Special Meeting on November 14, 2023 at 1:00 p.m., at 602 Shetter Avenue, Jacksonville Beach, Florida 32250, was approved.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of August 31, 2023

On MOTION by Mr. Lancaster and seconded by Mr. John Dodson, with all in favor, the Unaudited Financial Statements as of August 31, 2023, were accepted.

TENTH ORDER OF BUSINESS

Approval of August 1, 2023 Public Hearing and Regular Meeting Minutes

On MOTION by Mr. Lancaster and seconded by Mr. John Dodson, with all in favor, the August 1, 2023 Public Hearing and Regular Meeting Minutes, as presented, were approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

There was no report.

B. District Engineer: Kimley-Horn and Associates, Inc.

Mr. Schilling reported the following:

- Riverwalk: The RFP was completed. Proposals were received and J.B. Coxwell was the lowest bidder and the bid was under budget. It is hoped that a Change Order will be presented at the next meeting.
- Roads: The first lift of asphalt is scheduled for the first two weeks of November.
- Staff and J.B. Coxwell are focused on completing conditions for the Toll Brothers closing, currently scheduled for the end of November 2023.

Discussion ensued regarding roadways.

Mr. Schilling stated due to demolition by the CDD and the apartment project, Broadcast will be closed during construction and it will not reopen until construction is complete. The CDD is responsible for Broadcast from the roundabout to the southern property line; the apartment complex is responsible from the CDD’s property line to Read Avenue.

Discussion ensued about funds placed in escrow, utility and project costs, the need for a performance bond and completion dates.

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

- **NEXT MEETING DATE: November __, 2023 at 1:30 PM**
 - **QUORUM CHECK**

The next meeting will be held on November 14, 2023 at 1:00 p.m.

TWELFTH ORDER OF BUSINESS

Board Members’ Comments/Requests

There were no Board Members’ comments or requests.

THIRTEENTH ORDER OF BUSINESS

**Public Comments: Non-Agenda Items
(limited to 3 minutes per individual)**

There were no public comments.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Jay Dodson and seconded by Mr. John Dodson, with all in favor, the meeting adjourned at 2:08 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair