



**OCEAN HIGHWAY & PORT AUTHORITY
NASSAU COUNTY**

County Commission Chambers

James S. Page Government Complex

96136 Nassau Place, Yulee FL 32097

AGENDA

Wednesday, January 13, 2021

6:00 PM

6:00 PM – Meeting Called to Order – Chairman

Invocation

Pledge of Allegiance

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

- Comments - Audience (Comments submitted prior to the meeting)

1. Approval of Minutes

- December 9, 2020 Monthly Meeting Minutes
- December 28, 2020 Special Meeting Minutes

2. Consent Items

Invoice from Regan Atwood PA – Mediation between TranSystems and OHPA/Worldwide - \$1,560

3. Report by Pierre LaPorte, Port Accountant

- Financial Report – December 2020
- Mauldin and Jenkins Accountants in Attendance

4. Report by Jeb Branham, Port Attorney

5. Port of Fernandina Report

- Tonnage Report - December

6. Port Director Report

7. Unfinished Business

- TranSystem Settlement
- Port Director

8. New Business

- Review and Approval of Resolution 2021-R01 and FDOT PTGA Amendment for G1943
- Letter from City of Fernandina Beach regarding on-site warehouse permitting
- Port Attorney Position

Committee Reports

- Port Security – Commissioner Fullwood
- Customs House – Commissioner Franklin
- Army Corp of Engineers – Commissioner Fullwood
- Economic Development – Commissioner Cole
- Emergency Management – Commissioner Franklin
- Technical Coordinating Committee – Commissioner Hanna
- TPO – Commissioner Cole
- Nassau Chamber East Side – Commissioner Hill
- Nassau Chamber West Side – Commissioner Cole
- City of Fernandina Beach – Commissioner Hill

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.



Minutes



OCEAN HIGHWAY & PORT AUTHORITY

Miriam R. Hill – Secretary/Treasurer - Commissioner, District 1
Danny Fullwood – Chairman, District 2
Scott Hanna – District 3
Carrol Franklin – Commissioner, District 4
Mike Cole – Vice Chairman, District 5

Monthly Meeting Minutes

December 9, 2020

The Ocean Highway and Port Authority of Nassau County held its Monthly Meeting on Wednesday, December 9, 2020 at the County Commissioners Chambers at the James S. Page Government Complex, 96153 Nassau Place, Yulee, Florida 32097.

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

The invocation was given and the Pledge of Allegiance was led by Commissioner **Cole**. Roll call was conducted by Mrs. Barbara Amergian. All Commissioners were present with Commissioner Scott Hanna attending via video conference. Also in attendance were Jeb Branham, Port Attorney; Pierre LaPorte, Port Accountant; and Chris Ragucci, Port Director/Operator.

Chairman Fullwood recognized Mr. Jimmy Dunwoody of 95239 Amelia National Parkway, Fernandina Beach, FL. Mr. Dunwoody offered his services as a Port Director for a \$1.00 month salary for the duration of 6-9 months. Commissioner Hill asked Mr. Dunwoody to submit his resume and credentials to the Board for further review.

The minutes of November 12, 2020 were approved with two corrections.

Chairman Fullwood recognized Pierre LaPorte, Port Accountant to give his monthly report. Mr. LaPorte presented the November 2020 financials with nothing out of the ordinary to comment on. The 4th Quarter 2020 financials were also presented. Commissioner Hill questioned the comment to electing to omit all disclosures. Mr. LaPorte explained that the notes were included in the audit financials for the year and can be found there. Mr. LaPorte informed the Board that the Mauldin & Jenkins would be present at the January 13, 2021 meeting. A letter from the Chief Inspector General was received, releasing the Ocean Highway & Port Authority from financial emergency status. This is a result of the bond debt being retired.

12/9/2020

Commissioner Miriam Hill made the motion to request financial documents from Worldwide Terminals.

Mr. Ragucci, Port Operator stated that Worldwide Terminals is a private company so no copies can be given out; however, the financials can be inspected. Audited financials are done annually according to the bond documents and is scheduled for Spring, 2021. Mr. Ragucci suggested a meeting between himself, Mr. LaPorte, and Ms. Hill.

Motion withdrawn.

Chairman Fullwood recognized Port Attorney Jeb Branham to present his monthly report to the Board. Mr. Branham informed the Board that a public hearing with the City of Fernandina Beach regarding the PILOT payment to be dismissed has been scheduled for Thursday, February 25, 2021 and will be conducted via video conferencing. The Channel Re-Alignment issue remains on the back-burner. Mr. Branham reported that he has submitted changes the settlement agreement with TranSystems to Worldwide Terminals' attorney and the Ocean Highway & Port Authority has been released from any liability in the case. Terms will be made available when the settlement is complete. Regarding the Legislative Charter Amendment Changes, Mr. Branham informed the Board that the City of Fernandina Beach withdrew the request for amend the Charter and the City of Fernandina Beach suggested that the changes be discussed with the Board. Chairman Fullwood has asked Mr. Branham to draft an interlocal agreement to address the fees to be paid to the City of Fernandina Beach.

Chairman Fullwood recognized Port Operator Chris Ragucci to give his monthly report to the Board. The November tonnage figures were down dramatically from the prior month. Mr. Ragucci attributed this to the calendar and bad weather.

Mr. Ragucci presented his Port Director report to the Board. He informed the Board that the Port Security plan has been approved by the Coast Guard for the next five years. He reported that FDOT had given an extension on Grant# G0L06 through December 31, 2021. Mr. Ragucci reported to the Board that Port employee Ray Nelson and Robbie Long, Port Manager at Somers Isle, have partnered with Seafarers Ministry to offer care packages for the crews of incoming vessels.

Chairman Fullwood asked Mr. Ragucci about areas of concerns with grants from FDOT that have not been utilized. Mr. Ragucci stated that the security lighting grant (G0L06) has been extended through 12/31/2021; additional funds from G1943 will be moved to \$2-2.5 million to refurbish older cranes.

Unfinished Business:

Regarding the tugboat acquisition, the seller has agreed to escrow the maintenance funds in the amount of \$200,000. Worldwide Terminals will advance \$1,000,000 to the Ocean Highway & Port Authority to purchase the tugboat and the tugboat will be the property of OHPA; once

the funding from the MARAD grant is received, OHPA will reimburse the \$800,000 (matched portion) to Worldwide Terminals for cost of the tugboat. A special meeting will be held on Monday, December 28, 2020 to finalize the purchase and sale agreement and the loan documents.

A recess was called at 7:55 PM. The meeting resumed at 8:00 PM.

Commissioner Miriam Hill made the motion to reduce the monthly commissioner salaries to \$1,500 per month, consistent to what is funded under the current operating agreement.

Commissioner Cole stated that the salaries have been discussed and will be reviewed at the next budget cycle. He also stated that the public perception is that the “raise” was given during a COVID crisis which is not true.

Commissioner Franklin responded that the Charter states \$2,000 for the salaries and that the Board has only taken up to \$1,000 a month for years. Worldwide Terminals is funding the budget and the Board is earning what is allowed by the Charter.

Chairman Fullwood stated that reserve funds were used to fund the salaries and this could change next year and will be addressed at that time.

The Board was polled for their vote:

Cole – No
Hanna - No
Hill – Yes
Franklin - No
Fullwood- No

Motion failed by majority vote.

New Business:

An RFP for the Port Master Plan needs to be drafted in order to move forward with hiring a company. The current Master Plan expires in 2024. Port Attorney Jeb Branham and Mr. Ragucci will work on putting together the RFP for January 2021.

Mr. Ragucci will do the scope of work necessary for the RFP for the lighting grant and have Port Attorney Branham review.

A new tariff rate schedule needs to be done and approved by the Board in accordance with Sec. 3.1 of the Operating Agreement.

Maintenance Reports need to be submitted to the Board on a regular basis.

Committee Reports:

Port Security – Chairman Fullwood – Port employee Ray Nelson receives security reports and moving forward, these reports will be used to report security issues to the Board.

Customs House – Commissioner Franklin – He attended a telephone conference with the Customs House representative. There is a list of expectations for future office space in anticipation of a new Customs House facility.

Army Corp of Engineers – Chairman Fullwood had nothing new to report.

Economic Development – Commissioner Cole has nothing new to report.

Emergency Management – Commissioner Franklin reported that COVID infections are rising in Nassau County.

TCC – Commissioner Hanna attended the last meeting via video conference. Discussions at the meeting continued on the Electric Car Fleet program.

TPO – Commissioner Cole will be attending the December meeting via video conference. He has been nominated as the Treasurer for the NFTPO.

Nassau Chamber – East Side – Commissioner Hill – no meetings currently scheduled.

Nassau Chamber – West Side – Commissioner Hanna – nothing new to report.

City of Fernandina Beach – Commissioner Hill attended two public meetings. Commissioner Hill meet with City Attorney Tammi Bach and City Manager Dale Manager to share concerns about the Port. The Future Land Use Map (FLUM) for the City of Fernandina Beach has changed the zoning on Escambia from Industrial Waterfront to Conservation. Port Attorney Jeb Branham will look into the effect this has on the Port of Fernandina.

FDOT – Chairman Fullwood stated that the concerns have been discussed earlier in the meeting.

The Administrative Manager Report was included in the meeting packet. Mrs. Amergian reminded the Board that agenda items were due to her a week prior (the first Wednesday of the month) to the monthly meeting date (the second Wednesday of the month.) The agenda and the meeting packet are posted by 5 PM on that date. The Port of Fernandina sign should be installed before the end of the month.

In other Business to be brought by the Commissioners:

Chairman Fullwood requested that monthly meetings be held in other towns within the county throughout the year of 2021.

Commissioner Cole asked for clarification on wearing face masks at the meetings and if it is appropriate to remove the masks when seated between the plexiglass. The County requires masks in and out of the building.

With no further business to come before the Board, the meeting was adjourned at 8:48 PM.

Danny Fullwood

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
United States Coast Guard
Sector Jacksonville

10426 Alta Drive
Jacksonville, FL 32226-2302
Phone: (904) 714-7500

16610/FAC 20-058

OCT 23 2020

Worldwide Terminals Fernandina
Attn: Ray Nelson
501 North 3rd Street
Fernandina Beach, FL 32034

Dear Mr. Nelson:

The Facility Security Plan (FSP) for Worldwide Terminals Fernandina, submitted on September, 24, 2015, to meet the requirements of Title 33 Code of Federal Regulations (CFR) Part 105, is approved.

Commencing immediately, Worldwide Terminals Fernandina, must operate in full compliance with their submitted FSP and any additional requirements contained in 33 CFR Part 105. Your facility is subject to inspections by Coast Guard personnel to verify compliance with your FSP. Failure to comply with the requirements of 33 CFR Part 105, including those as outlined in your FSP, may result in suspension or revocation of this security plan approval, thereby making this facility ineligible to operate in, on, under, or adjacent to waters subject to the jurisdiction of the U.S. in accordance with 46 United States Code 70103(c)(5).

This approval will remain valid until five years from the date of this letter unless rescinded in writing by this office. You must review your plan annually and submit any amendments to this office for approval as required by 33 CFR Parts 105.410 and 105.415. Please ensure that all parties with responsibilities under your FSP are familiar with the procedures and requirements contained therein. If you have any questions, please contact my Facility Inspections Branch at (904) 714-7500.

Sincerely,

A handwritten signature in black ink, appearing to read "J. D. ROSE".

J. D. ROSE
Commander, U.S. Coast Guard
Chief, Prevention Department
By direction



RON DESANTIS
GOVERNOR

STATE OF FLORIDA

Office of the Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

www.flgov.com
850-717-9418

December 9, 2020

Chairman Danny Fullwood
Ocean Highway and Port Authority of Nassau County
86130 License Rd, Suite 9
Fernandina Beach, FL 323034

Re: The Ocean Highway and Port Authority's Release from Financial Emergency Status

Dear Chairman Fullwood:

Based on information received and assessed by the Office of the Chief Inspector General (CIG) and after consideration of the written recommendation of CIG Director of Auditing, Rodney J. MacKinnon, the Ocean Highway and Port Authority of Nassau County is no longer considered to be in a state of financial emergency. The CIG's assessment, supported by audited financial statements for the past five fiscal years, has established that the Authority appears to be operating an effective financial accounting and reporting system; that the Authority has resolved the previous conditions delineated within section 218.503(1), Florida Statutes; and, that none of the conditions outlined in section 218.503(1), Florida Statutes, presently exist.

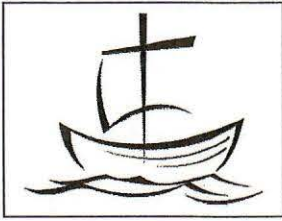
If you have any questions or concerns, please contact the Office of the Chief Inspector General at (850) 717-9264.

Respectfully,

A handwritten signature in blue ink that reads "Melinda M. Miguel".

Melinda M. Miguel
Chief Inspector General

cc: The Honorable Jimmy Patronis, Chief Financial Officer
Ms. Kathy Dubose, Coordinator
Joint Legislative Auditing Committee
Mr. Mike Gomez
State of Florida Auditor General, LGE Audit Section
Mr. Christopher T. Ragucci, Port Director
Ocean Highway and Port Authority of Nassau County



Seafarers Ministry – Port of Fernandina

MEMO FOR: All Contributors/Stakeholders to the Ministry 8 December, 2020

FROM: Bob Fernandez for the Ministry Team

We collectively would like to extend our heartfelt thanks and appreciation for your contribution to this ministry. We are still learning the best ways to do this ministry with the crews of the ships and how best to organize and execute.

Our objective is simple: Show the love of Christ to the crew members of the ships that call on the Port of Fernandina by providing God's Word to transform their lives, meeting physical needs, talking to them about Jesus and praying for each of them and their ships.

We want to be completely transparent with our finances and activities. This is our very first report to all of our contributors and stakeholders. I am not sure this is the correct format or the best way to do this. But it is a start.

We are currently in the process of becoming a 501c3 registered charity with the IRS and the State of Florida. Once this takes effect, any future contributions will be tax free. Unfortunately, the current contributions are not. The Ministry now has its own P.O. Box and will have a bank account in the next 2 weeks.

The ministry began as an idea in late May of this year, sparked by one of the ship's agents, Orlando Avila. It was definitely a Holy Spirit invitation. And then the Holy Spirit paved the way, infecting people's hearts and guiding us. The Port personnel led by Terminal Manager, Ray Nelson and the other ship's agents, Robby Long, Gary Nall, Chris Wilson and Megan McCloud have been super supportive and helpful.

By the time we met with the key players, including a rep from the port ministry at JAXPORT, got our Homeland Security badges (took several weeks), ordered and received supplies and made the first Care Packages, it was July. By then, 3 additional ministry volunteers had been recruited. By late October, we had a

pretty good idea of the ministry operations and costs. During November, we laid out all of the costs along with projections for a year. Our projections are only based on one year of data, which is also a Covid year.

So far, beginning in July, we have called on 19 ships and provided 259 Care Packages and New Testaments, normally in their native languages, to the crews. The Covid restrictions vary by ship. Sometimes we only make it as far as the top of the gangway and other times are invited into the ship. We present the Care Packages and the New Testaments and then talk to anyone who will talk to us. We pray for the crew members, their families and the safety of the crew and the ships.

Based on 2020, we expect a total of 35 ships next year, with an additional ship, the Somers Isles, making 36 port calls as it sails back and forth to Bermuda. We plan to call on that ship every other month, for a total of 6 ship calls, providing Testaments as needed. That totals to 41 ship calls. The average crew is about 14. That translates into 574 crew members/year that we provide Care Packages to. The Somers Isles ship will get two New Testament distributions per year as the crews swap out. New Testament requirements will be 35 ships x 14 crew members + 2x 8 crew members. That totals to a little over 500 Testaments. About 1/3 of those will be Russian crew members and we can get their Testaments for \$2 each, while the rest of the Testaments run a little over \$4 each.

- 574 Care Packages at \$8 each = \$4,592
- 165 Russian Testaments at \$2 each = \$330
- 335 other Testaments at \$4 each = \$1,340
- Total Budget \$6,262

Since we started, we have 10 total volunteers.

- Bob and Susan Fernandez
- Tom and Jane Van Delinder
- Mike Self
- Russ and Judy Kahoe
- Don and Kathy Casey
- Kirsten Campbell

So far, Susan and I have spent \$2,885 on supplies for the Care Packages and \$1,218 on New Testaments. The Nassau Gideon Camp will reimburse us for \$500 of the Testament costs. Receipts for all of these are available to anyone who would like to see them. Our total personal expenditures are \$3,603 and was used

to fund the ministry to this point. All contributions received on or after 22 November 2020 will be applied to ministry expenses incurred after that date.

We have had many generous contributions so far. See the list below. I have only put down the last initial to help protect people's privacy. They total \$2,620. The local Gideon Camp provides all of the English and Spanish Testaments without charge. And they provided \$500 to help pay for Testaments that come from other sources. Mercy Hill Church has put us in the budget for \$2,000 for 2021 and Amelia Baptist Church for \$600 in 2021.

Person	Date	Amount
S	Sept	\$50.00
F	Oct	\$100.00
S	14-Oct-20	\$40.00
H	15-Oct-20	\$50.00
S	6-Nov-20	\$40.00
M	20-Nov-20	\$100.00
H	20-Nov-20	\$200.00
B	22-Nov-20	\$250.00
C	22-Nov-20	\$50.00
Anon	23-Nov-20	\$100.00
W	23-Nov-20	\$500.00
W	3-Dec-20	\$100.00
D	3-Dec-20	\$600.00
C	3-Dec-20	\$200.00
S	4-Dec-20	\$40.00
V	various	\$200.00

We will still need more contributions to help cover the cost of the ministry. But, we are off to a good start.

When we get established as a registered charity, we will make either semi-annual or quarterly reports to all contributors and stakeholders. I also keep a log of the ships we visited, crew numbers, nationalities and a few other items. I will be happy to send it to anyone who is interested. Any contributor or stakeholder is welcome to examine our accounting.

Once again, many, many thanks for your generosity and your heart for these seafarers. They appreciate it so much and are touched that anyone knows they are there and cares about them. This has been a totally Holy Spirit led ministry – from start to finish. All we had to do was listen and follow. All credit to God for His faithfulness.

Bob Fernandez



Florida Department of Transportation

RON DESANTIS
GOVERNOR

2198 Edison Avenue, MS 2806
Jacksonville, Florida 32204

KEVIN J. THIBAUT, P.E.
SECRETARY

DATE: December 9, 2020

TO: Christopher Ragucci
Port Director Port of Fernandina
Nassau County Ocean Highway & Port Authority
86130 License Road, Suite 9
Fernandina Beach, FL 32034

FROM: Justin Ryan, AMPE
Freight & Seaports Coordinator
Florida Department of Transportation District Two

SUBJECT: Joint Participation Agreement Time Extension #2
Financial Project No. 438826-1-94-01; Contract No. G0L06

Please see the attached Time Extension which extends the expiration date of the Joint Participation Agreement (JPA) for Port of Fernandina's North Dock Ramp and Piling Rehabilitation project. The Department has received, reviewed, and approved the request dated December 4, 2020. As such, a time extension of the Joint Participation Agreement for the subject project is extended until December 31, 2021. The Ocean Highway & Port Authority understands and agrees that agreement G0L06 will not be extended beyond December 31, 2021. After December 31, 2021, any remaining unspent grant funds will be removed from the agreement.

Should you require additional information or a meeting with Department representatives please contact me at (904) 360-5686.

Sincerely,

A handwritten signature in cursive script that reads "Justin Ryan".

Justin Ryan, AMPE
District Freight & Seaports Coordinator



Florida Department of Transportation

RON DESANTIS
GOVERNOR

2198 Edison Avenue, MS 2806
Jacksonville, Florida 32204

KEVIN J. THIBAUT, P.E.
SECRETARY

DATE: December 9, 2020

TO: Mr. Danny Fullwood
Chairman Nassau County Ocean Highway & Port Authority
86130 License Road, Suite 9
Fernandina Beach, FL 32034

FROM: Mr. James M. Knight, P.E.
Urban Planning and Modal Administrator
Florida Department of Transportation District Two

SUBJECT: EXTENSION OF TIME - Joint Participation Agreement
Financial Project No. 438826-1-94-01; Contract No. GOL06

The time allotted for the completion of services on subject agreement dated April 12, 2017 and any supplemental(s) thereto will expire on December 31, 2020.

In accordance with Section 16.00 of the Joint Participation Agreement, you may request a time extension. OHPA's e-mail from Port Director Ragucci dated December 4, 2020 provides this written request. As such, a time extension of the Joint Participation Agreement for the subject project is extended until December 31, 2021. The Ocean Highway & Port Authority understands and agrees that agreement GOL06 will not be extended beyond December 31, 2021. After December 31, 2021, any remaining unspent grant funds will be removed from the agreement.

APPROVED: DocuSigned by:
James Knight
3B010E9B2C594C... _____

James M. Knight, P.E.
Urban Planning and Modal Administrator

DATE: 12/8/2020 | 9:41 AM EST



OCEAN HIGHWAY & PORT AUTHORITY

Miriam R. Hill – Secretary/Treasurer - Commissioner, District 1
Danny Fullwood – Chairman, District 2
Scott Hanna – District 3
Carrol Franklin – Commissioner, District 4
Mike Cole – Vice Chairman, District 5

Special Meeting Minutes

December 28, 2020

The Ocean Highway and Port Authority of Nassau County held a Special Meeting on Monday, December 28, 2020 at 1 PM at the County Commissioners Chambers at the James S. Page Government Complex, 96153 Nassau Place, Yulee, Florida 32097.

The meeting was called to order at 1:08 PM by Chairman Fullwood.

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

Chairman Fullwood began the meeting by congratulating Port Attorney Jeb Branham who has been appointed to a judgeship. His position as the Ocean Highway & Port Authority Attorney will end on January 30, 2021. Mr. Branham indicated he had an attorney who may be interested in the position.

Commissioner Scott Hanna made the motion to authorize Chairman Danny Fullwood to execute the loan agreement between the Ocean Highway & Port Authority and Worldwide Terminals for the tugboat.

Commissioner Hill made a proforma request to justify the purchase of the tugboat and asked that in regards to the administration of the MARAD grant, that OHPA be named as a Noticed Party and included as a co-administrator on the grant.

The Board was polled on the motion:

**Cole – yes
Hanna – yes
Hill – no
Franklin – yes
Fullwood – yes**

Motion passed by majority vote.

Commissioner Mike Cole made the motion to accept the Purchase and Sale agreement between the Ocean Highway & Port Authority and Marine Specialty Equipment, LLC to purchase the vessel *The Fort Clinch*.

The Board was polled on the motion:

**Cole – yes
Hanna – yes
Hill – no
Franklin – yes
Fullwood – yes**

Motion passed by majority vote.

Commissioner Miriam Hill made the motion to inspect audit financials from Worldwide Terminals, consistent with section 8.1 of the Operating Agreement to confirm compliance with the Operating Agreement and access to the ship contracts from all entities that have requested dockage at the Port; and to request an outside auditor inspect dockage and wharfage fees and confirm that fees are remitted properly to the Ocean Highway & Port Authority.

The Board was polled on the motion:

**Cole – no
Hanna – no
Hill – yes
Franklin – yes
Fullwood - no**

Motion failed by majority vote.

Chairman Fullwood requested a special meeting be scheduled on Thursday, January 21, 2021 at 4 PM to review and discuss the operating agreement between the Ocean Highway & Port Authority and Worldwide Terminals at the James S. Page Building, Commissioner Chambers.

The meeting was adjourned at 2:55 PM

Danny Fullwood, Chairman



Consent Items

REGAN ATWOOD, P.A.

9905 Old St. Augustine Road, Suite 400

Jacksonville, Florida 32257

904-356-1300 (Fax) 904-356-8050

Tax ID # 20-3826262

Transystem Corp V Worldwide Terminals & OHPA Med

Page: 1

10/31/2020

Account No. 2001.61

Statement No. 40494

				Hours	
10/09/2020	JCR	Review mediation statements and prepare for Mediation; mediate dispute among parties; communication with parties re continued settlement;		10.40	4,680.00
		For Current Services Rendered		10.40	4,680.00
Recapitulation					
	Timekeeper		Hours	Rate	Total
	Jeffrey C. Regan		10.40	\$450.00	\$4,680.00
	Total Current Work				4,680.00
	Balance Due				<u>\$4,680.00</u>

Trevor B. Arnold-Transystem Corp
Gray Robinson
301 E Pine St # 1400
Orlando, FL 32801

\$ 1560.00

Chris Iseley-Worldwide
Franson, Iseley & Assoc.
1400 Prudential Dr #5
Jacksonville, FL 32207

\$ 1560.00

Jeb Branham-Ocean Highway/Por
419 3rd #
Jacksonville Beach, FL 32250

\$ 1560.00

Amounts outstanding after 45 days are subject to a 1% per month finance charge.

MAKE YOUR CHECK PAYABLE TO REGAN ATWOOD, P.A.



Port Accountant Report

NASSAU COUNTY OCEAN HIGHWAY & PORT AUTHORITY

Monthly Financial Report - December 2020

	December	YTD ACTUAL	BUDGET 2020-2021
Revenues			
Quarterly Fee	20,973.00	62,919.00	253,300.15
PILOT Payment	0.00	0.00	0.00
Audit Fee Reimbursement	0.00	0.00	0.00
Misc Income	0.00	0.00	2,000.00
Interest	5.38	15.97	60.00
TOTAL REVENUES	20,978.38	62,934.97	255,360.15
EXPENSES			
COMMISSION DIRECT			
Salaries - Commissioners	10,000.00	30,000.00	120,000.00
Payroll Taxes	840.71	2,643.58	11,361.00
Unemployment	0.00	0.00	75.00
Conferences & Travel	0.00	0.00	1,000.00
Insurance	0.00	1,367.20	1,134.00
Salaries - Board Attorney	1,900.00	8,020.00	30,000.00
TOTAL COMMISSION DIRECT	12,740.71	42,030.78	163,570.00
COMMISSION OPERATION			
Salaries- Accountant	1,500.00	4,500.00	18,000.00
Salaries - Office Administrator	989.63	4,095.01	23,535.68
Expenses - Office Administrator	1,225.97	3,270.05	4,000.00
Travel - Office Administrator	0.00	0.00	100.00
TOTAL COMMISSION OPERATION	3,715.60	11,865.06	45,635.68
COMMISSION DISCRETIONARY			
Dept. of Revenue (Special Dist. Fee)	0.00	0.00	225.00
TPO. - Membership	0.00	0.00	1,257.00
Greater Nassau Chamber of Commerce	0.00	0.00	280.00
Advertisement	89.29	89.29	600.00
Special Meeting - Court Reporter	0.00	0.00	0.00
Web Site	0.00	0.00	0.00
Awards & Presentations	0.00	0.00	120.00
Discretionary	470.80	470.80	720.00
TOTAL COMMISSION DISCRETIONARY	560.09	560.09	3,202.00
PORT OPERATIONS			
FB Annual Fee - PILOT	0.00	0.00	0.00
CSX Right of Way Fee	0.00	0.00	750.00
Insurance	0.00	11,602.00	11,141.00
Audit	13,000.00	13,000.00	25,800.00
FL Ports Council Dues	0.00	0.00	15,500.00
Nassau Cty Economic Dev Board	0.00	0.00	3,000.00
Sponsorships	0.00	0.00	500.00
TOTAL PORT OPERATIONS	13,000.00	24,602.00	56,691.00
TOTAL EXPENSES	30,016.40	79,057.93	269,098.68
Excess Revenues over Expenditures	-9,038.02	-16,122.96	-13,738.53

NASSAU COUNTY OCEAN HIGHWAY & PORT AUTHORITY

Customs House

Monthly Financial Report - December 2020

	<u>December</u>	<u>YTD ACTUAL</u>	<u>BUDGET 2020-2021</u>
INCOME			
GSA - Customs House - RENTAL INCOME	0.00	0.00	0.00
Interest			
TOTAL INCOME	0.00	0.00	0.00
 CUSTOMS HOUSE			
Bug Out Pest Control	0.00	225.00	312.00
River Pest Control Termite Bond	0.00	490.00	500.00
Bug Out Termite Bond	0.00	0.00	250.00
Cleaning Service	280.00	840.00	3,360.00
City of Fernandina Beach (Water)	79.62	269.09	1,500.00
Florida Public Utilities (Electric)	332.15	1,174.50	5,000.00
Maintenance	0.00	0.00	0.00
 TOTAL CUSTOMS HOUSE	 691.77	 2,998.59	 10,922.00
 <u>Net Increase(decrease) in Funds</u>	 <u>-691.77</u>	 <u>-2,998.59</u>	 <u>-10,922.00</u>

NASSAU COUNTY OCEAN HIGHWAY & PORT AUTHORITY

Account Balances - December 31, 2020

Account Name	Acct Num	31-Dec	30-Nov
Operating	x3328	22,389.32	31,720.43
Money Market	x3310	126,686.38	126,681.00
Other - Admin Acct	x6714	269.47	828.73
BBT Maintenance	x1591/#1605	111,280.16	111,280.16



Attorney Report

JEB T. BRANHAM, P.A.
Jeb T. Branham
419 3rd Street North
Jacksonville Beach, Florida 32250
Tel: (904) 339-0500; Fax: (904) 339-0501
jeb@jebbranham.com
www.jebbranham.com

January 2021

Below are updates on the near-term legal issues:

1. The hearing on OHPA's motion to dismiss Fernandina Beach's complaint in the lawsuit Fernandina Beach filed over the PILOT payments is set for February 25. I will have to withdraw from the litigation before that hearing takes place.
2. The interlocal agreement for the city to assume financial liability associated with the westward channel realignment remains on the back burner due to higher priority matters between the city and OHPA.
3. TranSystems and WTF have agreed on settlement terms. The agreed-upon terms absolve OHPA of any liability to TranSystems. The settlement documents should be put before you at the January meeting.
4. The city decided not to raise the issue of amending OHPA's legislative charter matter at the Nassau County legislative delegation meeting held on December 7. Buddy Jacobs suggested representatives from both parties meeting prior to March to see if any agreement could be reached.

Jeb T. Branham, Esq.
419 3rd Street North
Jacksonville Beach, FL 32250

Invoice submitted to:
Ocean Highway and Port Authority

January 8, 2021

Invoice # 13161

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
12/3/2020 Telephone conference with C. Ragucci regarding MRAD grant; emails with B. Amergian and M. Hill regarding charter amendment and planning; telephone conference with S. Moore regarding tugboat purchase; emails with S. Moore regarding tugboat purchase;	1.40 200.00/hr	280.00
12/7/2020 Attend Nassau County legislative delegation meeting; email to C. Byrd regarding proposed charter amendment; research Fernandina Beach council action regarding charter amendment; telephone conference with D. Fullwood regarding legislative delegation meeting; email to C. Ragucci regarding legislative delegation meeting;	1.90 200.00/hr	380.00
12/8/2020 Review and revise TranSystems draft settlement agreement; emails to counsel regarding revisions;	0.50 200.00/hr	100.00
12/9/2020 Attend regular meeting;	2.80 200.00/hr	560.00
Prepare loan agreement for tug purchase; email to P. LaPorte regarding tug purchase; telephone conference with P. LaPorte regarding tug purchase; telephone conferences with D. Fullwood regarding tug purchase; telephone conference with S. Moore regarding tug purchase; telephone conference with N. Netzley regarding tug purchase; email to S. Moore regarding tug purchase; emails with S. Moore regarding tug purchase; prepare for regular meeting;	4.70 200.00/hr	940.00

	<u>Hrs/Rate</u>	<u>Amount</u>
12/10/2020 Emails with M. Hill regarding tug purchase; telephone conference with S. Moore regarding tug purchase;	1.40 200.00/hr	280.00
12/14/2020 Emails to D. Fullwood and C. Ragucci regarding FLUM change; email to M. Hill regarding inspection of records;	0.40 200.00/hr	80.00
12/16/2020 Telephone conference with D. Fullwood regarding status of port matters;	0.60 200.00/hr	120.00
12/28/2020 Prepare for and attend special meeting regarding tugboat purchase;	2.80 200.00/hr	560.00
12/29/2020 Review and revise tugboat purchase documents; telephone conference with C. Ragucci and S. Moore regarding purchase documents;	1.70 200.00/hr	340.00
12/30/2020 Telephone conference with C. Ragucci regarding tug purchase; revise purchase agreement; emails with C. Ragucci and S. Moore regarding tug purchase;	0.60 200.00/hr	120.00
1/4/2021 Telephone conference with C. Ragucci regarding tug purchase; email to C. Ragucci regarding tug title; email to C. Ross regarding public records.	0.80 200.00/hr	160.00
1/7/2021 Prepare authorization letter for tugboat purchase;	0.20 200.00/hr	40.00
	<hr/>	<hr/>
For professional services rendered	19.80	\$3,960.00
Previous balance		\$1,900.00
Accounts receivable transactions		
12/16/2020 Payment - thank you. Check No. 2378		(\$1,900.00)
12/16/2020 Credit		(\$900.00)
		<hr/>
Total payments and adjustments		(\$2,800.00)
		<hr/>
Balance due		\$3,060.00
		<hr/> <hr/>



New Business

OCEAN HIGHWAY AND PORT AUTHORITY, NASSAU COUNTY, FLORIDA
RESOLUTION NO. 2021-R01

A RESOLUTION OF THE OCEAN HIGHWAY AND PORT AUTHORITY OF NASSAU COUNTY, FLORIDA
AUTHORIZING THE ENTRY INTO A PUBLIC TRANSPORTATION GRANT AGREEMENT WITH THE
FLORIDA DEPARTMENT OF TRANSPORTATION FOR ENVIRONMENTAL, DESIGN AND CONSTRUCTION
WORK RELATED TO THE DEVELOPMENT OF ON-PORT COVERED WAREHOUSE STORAGE AT THE PORT
OF FERNANDINA; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS the Ocean Highway and Port Authority desires to enter into a Public Transportation Grant Agreement for Financial Project 443401-1-94-02 ("Agreement") with the Florida Department of Transportation ("Agency") to receive grant funding for environmental, design and construction work related to the development of on-port covered warehouse storage at the Port of Fernandina, as further defined in Exhibit A to the Public Transportation Grant Agreement referenced herein.

WHEREAS the Agreement provides for the State of Florida, through the Agency, to provide up to \$2,900,000 of funding, while OHPA must provide up \$2,976,403 of matching funding, as set forth in Exhibit B to the Public Transportation Grant Agreement referenced herein.

NOW THEREFORE BE IT RESOLVED BY THE COMMISSIONERS OF THE OCEAN HIGHWAY AND PORT AUTHORITY, NASSAU COUNTY, FLORIDA THAT:

Section 1. The Chair of the board of commissioners of OHPA is hereby authorized to execute, on behalf of OHPA, the Public Transportation Grant Agreement, Financial Project 443401-1-94-02, and is further authorized to execute any and all documents necessary to effectuate the same, including future amendments thereto, provided however, that the Chair's authority bestowed hereunder is expressly conditioned upon Nassau Terminals, LLC providing OHPA with the local funding obligations required by the Agreement.

Section 2. By consenting hereto, Nassau Terminals, LLC agrees to defend, indemnify, and hold OHPA harmless for any obligations OHPA may incur arising out of or related to the entry into the grant agreement, its performance, the provision of matching funds, or environmental, design and construction work related to the development of on-port covered warehouse storage at the Port of Fernandina.

Section 3. This Resolution shall be effective upon its adoption.

RESOLVED FURTHER THAT the Ocean Highway and Port Authority, Nassau County, Florida hereby adopts the foregoing Resolution, dated this _____ day of _____, 2021.

OCEAN HIGHWAY AND PORT AUTHORITY,
NASSAU COUNTY, FLORIDA

Danny Fullwood, as its Chairman

ATTEST:

Miriam R. Hill, as its Secretary

CONSENTED TO THIS ___ DAY OF _____, 2021 BY:

NASSAU TERMINALS, LLC

Christopher Ragucci, as its Authorized Representative

**PUBLIC TRANSPORTATION
AMENDMENT TO THE PUBLIC TRANSPORTATION
GRANT AGREEMENT**

Financial Project Number(s): <small>(item-segment-phase-sequence)</small> 443401-1-94-02	Fund(s): Work Activity Code/Function: 215 Federal Number/Federal Award Identification Number (FAIN) – Transit only:	GMR	FLAIR Category: 088794
Contract Number: G1943	Federal Award Date:	80-939- 7102	Object Code: 751000 Org. Code: 55022020229 Vendor Number: F591976292007 Amendment No.: 01
CFDA Number: N/A	Agency DUNS Number:		
CFDA Title: N/A			
CSFA Number: 55.005			
CSFA Title: Seaport Grant Program			

THIS AMENDMENT TO THE PUBLIC TRANSPORTATION GRANT AGREEMENT (“Amendment”) is made and entered into on _____, by and between the State of Florida, Department of Transportation (“Department”), and Ocean Highway and Port Authority, (“Agency”), collectively referred to as the “Parties.”

RECITALS

WHEREAS, the Department and the Agency on 5/29/2019 (date original Agreement entered) entered into a Public Transportation Grant Agreement (“Agreement”).

WHEREAS, the Parties have agreed to modify the Agreement on the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the mutual covenants in this Amendment, the Agreement is amended as follows:

1. **Amendment Description.** The project is amended by Exhibit "A", Project Descriptions and Responsibilities and Exhibit "B", Schedule of Financial Assistance.

2. **Program Area.** For identification purposes only, this Agreement is implemented as part of the Department program area selected below (select all programs that apply):

- Aviation
- Seaports
- Transit
- Intermodal
- Rail Crossing Closure
- Match to Direct Federal Funding (Aviation or Transit)
(Note: Section 15 and Exhibit G do not apply to federally matched funding)
- Other

3. **Exhibits.** The following Exhibits are updated, attached, and incorporated into this Agreement:

- Exhibit A: Project Description and Responsibilities
- Exhibit B: Schedule of Financial Assistance
- *Exhibit B1: Deferred Reimbursement Financial Provisions
- *Exhibit B2: Advance Payment Financial Provisions
- *Exhibit C: Terms and Conditions of Construction
- Exhibit D: Agency Resolution
- Exhibit E: Program Specific Terms and Conditions
- Exhibit F: Contract Payment Requirements
- *Exhibit G: Financial Assistance (Single Audit Act)
- *Exhibit H: Audit Requirements for Awards of Federal Financial Assistance

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION
AMENDMENT TO THE PUBLIC TRANSPORTATION
GRANT AGREEMENT

Form 725-000-03
STRATEGIC
DEVELOPMENT
OGC 11/19

__ *Additional Exhibit(s):

4. Project Cost.

The estimated total cost of the Project is __ increased/ X decreased by \$1,923,597 bringing the revised total cost of the project to \$5,876,403.

The Department's participation is __ increased/ __ decreased by \$0. The Department agrees to participate in the Project cost up to the maximum amount of \$2,900,000, and, additionally the Department's participation in the Project shall not exceed 49.35% of the total eligible cost of the Project.

Except as modified, amended, or changed by this Amendment, all of the terms and conditions of the Agreement and any amendments thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Amendment on the day and year written above.

AGENCY Ocean Highway and Port
Authority

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

By: _____
Name: _____
Title: _____

By: _____
Name: Authorized Official or James M. Knight, P.E.
Title: Urban Planning and Modal Administrator

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

Legal Review: _____

EXHIBIT A

Project Description and Responsibilities

A. Project Description (description of Agency's project to provide context, description of project components funded via this Agreement (if not the entire project)): Port of Fernandina's customers have a current and growing need for on-port covered storage as well as modern cargo handling equipment that can expedite the movement of cargo. The first component of this Project is focused on the environmental, design and construction work related to the development of on-port covered warehouse storage. Department participation for this component of the Project is approximately \$110,791.00. The second component of this Project, focuses on the procurement and installation of capital equipment, specifically ship-to-shore gantry crane(s). Once delivered, the crane(s) will be retrofitted and installed on waterside crane rails. Department participation for this second component of the Project is approximately \$2,789,209.00.

B. Project Location (limits, city, county, map): Ocean Highway and Port Authority, Fernandina Beach, FL

C. Project Scope (allowable costs: describe project components, improvement type/service type, approximate timeline, project schedule, project size): This project includes the environmental, design and construction work and capital equipment procurement activities described in the Project Description, including: aluminum; anchoring components; asphalt paving activities; assembly; backfilling; crane and crane components; castings; cathodic protection; compaction; concrete; construction; construction inspection costs; construction management; consulting services; contractor stand-by; costs estimates; demobilization; demolition; design; dewatering; drainage systems; doors; drywall; dust control systems; earthwork; electrical systems; elevators; engineering services; entrance canopies; environmental services; exterior finishes; environmental assessments; fabrication/manufacturing; fasteners and connectors; fencing; fire protection systems; flooring; formwork; framing; geotechnical services; glass and glazing; ground covering; handrails; installation; insulation; interior divider walls; interior finishes; lighting systems; masonry; material testing and engineering studies; mechanical systems; mitigation assessments; mobilization; painting; permitting; plan development (e.g., 30 I 60 I 90 I 100 % and as-builts); plumbing systems; precast concrete; preconstruction engineering and design; procurement cost; rail and rail components; ramps; renovations; roofing systems; security systems; soil improvement work; shore and slope protection; siding; signage and way finding; steel; stairways; stormwater management; structural components; surveying; temporary structures; testing and certification; thermal barriers; transportation and delivery fees; utility components; ventilation systems; and, windows.

D. Deliverable(s):

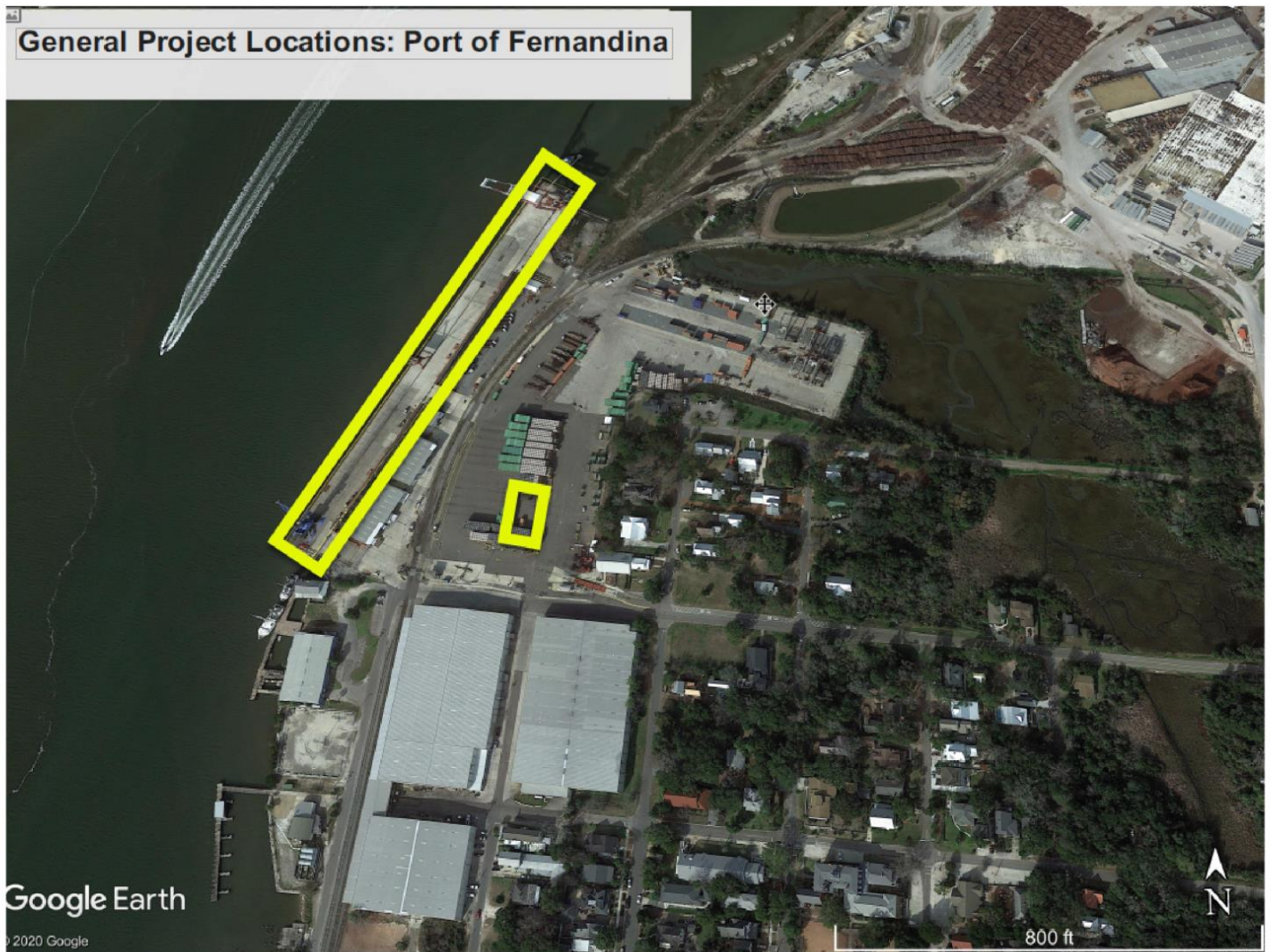
The project scope identifies the ultimate project deliverables. Deliverables for requisition, payment and invoice purposes will be the incremental progress made toward completion of project scope elements. Supporting documentation will be quantifiable, measurable, and verifiable, to allow for a determination of the amount of incremental progress that has been made, and provide evidence that the payment requested is commensurate with the accomplished incremental progress and costs incurred by the Agency.

E. Unallowable Costs (including but not limited to): Travel costs are not allowed.

F. Transit Operating Grant Requirements (Transit Only):

Transit Operating Grants billed as an operational subsidy will require an expenditure detail report from the Agency that matches the invoice period. The expenditure detail, along with the progress report, will be the required deliverables for Transit Operating Grants. Operating grants may be issued for a term not to exceed three years from execution. The original grant agreement will include funding for year one. Funding for years two and three will be added by amendment as long as the grantee has submitted all invoices on schedule and the project deliverables for the year have been met.

General Project Locations: Port of Fernandina



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**PUBLIC TRANSPORTATION
 GRANT AGREEMENT EXHIBITS**

Form 725-000-02
 STRATEGIC
 DEVELOPMENT
 OGC 02/20

EXHIBIT B

Schedule of Financial Assistance

FUNDS AWARDED TO THE AGENCY AND REQUIRED MATCHING FUNDS PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

A. Fund Type and Fiscal Year:

Financial Management Number	Fund Type	FLAIR Category	State Fiscal Year	Object Code	CSFA/CFDA Number	CSFA/CFDA Title or Funding Source Description	Funding Amount
443401-1-94-02	GMR	088794	2019	751000	55.005	Seaport Grant Program	\$2,900,000
443401-1-94-02	LF	088794	2019	-	-	Local Matching Funds	\$2,976,403
Total Financial Assistance							\$5,876,403

B. Estimate of Project Costs by Grant Phase:

Phases*	State	Local	Federal	Totals	State %	Local %	Federal %
Land Acquisition	\$0	\$0	\$0	\$0	0.00	0.00	0.00
Planning	\$0	\$0	\$0	\$0	0.00	0.00	0.00
Environmental/Design/Construction	\$110,791	\$187,194	\$0	\$297,985	37.18	62.82	0.00
Capital Equipment	\$2,789,209	\$2,789,209	\$0	\$5,578,418	50.00	50.00	0.00
Match to Direct Federal Funding	\$0	\$0	\$0	\$0	0.00	0.00	0.00
Mobility Management (Transit Only)	\$0	\$0	\$0	\$0	0.00	0.00	0.00
Totals	\$2,900,000	\$2,976,403	\$0	\$5,876,403			

*Shifting items between these grant phases requires execution of an Amendment to the Public Transportation Grant Agreement.

BUDGET/COST ANALYSIS CERTIFICATION AS REQUIRED BY SECTION 216.3475, FLORIDA STATUTES:

I certify that the cost for each line item budget category (grant phase) has been evaluated and determined to be allowable, reasonable, and necessary as required by Section 216.3475, Florida Statutes. Documentation is on file evidencing the methodology used and the conclusions reached.

Justin Ryan

 Department Grant Manager Name

 Signature

 Date

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION
GRANT AGREEMENT EXHIBITS

Form 725-000-02
STRATEGIC
DEVELOPMENT
OGC 02/20

EXHIBIT D

AGENCY RESOLUTION

PLEASE SEE ATTACHED



January 6, 2021

Miriam R. Hill
District 1 OHPA Commissioner
Ocean Highway and Port Authority
86130 License Rd, Suite 9
Fernandina Beach, FL 32034

Via Email
miriam@miriamrhill.com

RE: OHPA Construction of 77,000sf On-Port Warehouse – Public Transportation Grant Agreement

Dear Commissioner Hill:

As you know, the City Commission asked me to write a letter to the Ocean, Highway and Port Authority of Nassau County (“OHPA”) regarding the above-referenced warehouse project funded by FDOT Public Transportation Grant funds (the “Project”). Specifically, the Project is identified as Financial Project Number 443401-1-94-02 by the FDOT Public Transportation Grant Agreement (the “Grant”). The Port Charter may arguably provide that OHPA does not have to follow all local laws, but the Grant (Exhibit E, Section D) executed by OHPA requires that OHPA comply with all applicable current laws and rules of local governments and Ch. 311, Fla. Stats. I have enclosed a copy of Exhibit E to the Grant for your reference.

The City Commission believes that the OHPA did not follow all applicable local laws or Ch. 311, Fla. Stats. as required by the Grant. Section 311.14(2)(b), Fla. Stats. requires that OHPA’s strategic plan include “...all projected infrastructure improvements within the plan area which require improvement, expansion, or development...”. The Project is not included in OHPA’s current strategic master plan. Therefore, the Project does not comply with Sec. 311.14(2)(b), Fla. Stats., and OHPA should not have certified in the Grant that the Project does comply with Ch. 311, Fla. Stats. In addition, the Grant requires compliance with all applicable, current laws and rules of local governments, including those of the City. The OHPA did not pay City impact fees for the warehouse development or have the development reviewed through the City’s Technical Review Committee. OHPA certified to FDOT that it will comply with all applicable local laws, so the City expects that the OHPA will pay the City’s impact fees applied to the Project. In September 2020, I communicated with Jeb Branham, Port Attorney about the building permit fees and impact fees. I agreed that we could work together on the amount of impact fees and fire inspection fees to be paid, but we needed to get the building permitting process going so that the Project would satisfy the Florida Building Code. I was unaware of the Grant at the time I discussed impact fees with Mr. Branham last September. The OHPA certified that it would comply with local laws, and the City Commission believes that development review procedures and impact fees must be followed to comply with the Grant assurances that OHPA made to FDOT. Finally, OHPA certified to FDOT that the Project is consistent with the City’s Comprehensive Plan and that OHPA “has had reasonable consultation with those parties affected by the Project. Has OHPA consulted with affected parties in the community about this Project?”

Please include this letter on the OHPA’s next available public meeting agenda for review. Do not hesitate to contact me with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "TEB".

Tammi E. Bach
City Attorney

cc: Mayor and City Commissioners



Unfinished Business

JAMES C. DUBBERLY JR.

95239 Amelia National Pkwy
Fernandina Beach, FL 32034

(904) 753-6263
E-mail: dubberly@comcast.net

Port Director Resume

Summary of Qualifications

- 20 plus years in the US Coast Guard.
- Attended the Federal Law Enforcement Training Academy. As a Federal Law Enforcement Officer, I was assigned to a counternarcotics unit to perform drug operations, customs inspections of ships/ports, along with training foreign countries on counternarcotics. The mission changed after 9/11 to counterterrorism.
- Master law enforcement and counterterrorism train the trainer instructor.
- Extensive knowledge of ship design, build, and maintenance.
- Worked with foreign countries and their naval services on law enforcement and port security.
- Handled multimillion dollar budgets while serving as Executive Officer and familiar with applicable laws, regulations and relevant accounting processes.
- Knowledgeable in Federal Acquisition Regulations (FAR), Defense Acquisition Regulations (DFAR), and the Simplified Acquisitions Process.
- Facilitated bidding processes and request for proposals.
- Ability to develop bids, negotiate contract specifications and provisions.
- Exceptional oral and written skills.
- 20 plus years supervising and evaluating personnel.

Professional Experience

Compass Global Business Services (CEO)

2018 – 2021

- Consulting Services for US Ports (Federal and State Government)
- Supply Chain Implementation for US Navy, US Coast Guard and US Marine Corps
- Business Development for Private Companies.

One Network Enterprises (Director)

2015 – 2018

- Executive Lead for Ports Business Development
- Brought in over \$500m in new business
- Program Manager for Military Programs

IBM (Senior Executive)

2011-2015

- Executive Business Development for new business over \$100m.
- Consultant for Ports Domestic and International

- Performed Ports Evaluations for Merger and Acquisitions for Private Company's and Local Governments
- Lead a staff of 50 plus

Raytheon (Executive)

2009-2011

- Understanding of business development and experienced in bringing new business to Raytheon.
- Lead US Coast Guard and Navy efforts and establishing a growth strategy for this market.
- Lead working on domestic and foreign Port Opportunities.
- Understand Bid & Proposal activities and process.
- Current understanding of supply chain functions.
- Raytheon Six Sigma certification.

United States Coast Guard

1989 to 2009

- Executive Officer with multimillion dollar budget.
- Human Resource Manager in charge of pay and benefits.
- EEO/AA representative. In charge of compliance and investigations.
- Worked with foreign countries on International Ship and Port Facility Security (ISPS).
- ISPS inspections consisted of checking ports and ships yards throughout the world and making sure they were compliant.
- Interacted with foreign naval services and shipyards.
- Familiar with US Coast Guard and US Navy FMS.
- Federal law enforcement officer conducting counternarcotics, counterterrorism and border protection.
- Interacted with senior management on daily basis along with weekly briefs and presentations.
- Forecast and analyze future budgets with cost and price analysis.
- Project Manager

Law Enforcement and Port Security experience

- Worked for United Nations in South Korea for 2 years. Stationed at Pan Mun Jom between North and South Korea conducting border security.
- Master instructor for narcotic identification courses. Trained Miami Police Department on how to use narcotic identification kits.
- Conducted counternarcotics operations in or around Colombia, Cartagena, Panama, Belize, Venezuela, Bolivia, Bermuda, Bahamas and most of the Islands in the Caribbean.
- Trained Colombian and Panamanian Police force on Counternarcotics.
- Trained the City of Jacksonville Florida SWAT team on tactical operations.
- Conducted numerous Border Protection Patrols between the US and Mexico also between US and Cuba.

- Conducted Custom Boarding's on vessels coming into US from foreign countries to include recreational vessel, container ships, cargo ships and petroleum vessels.
- Trained the city of Jacksonville marine patrol on escort procedures pertaining to high value assets entering and exiting ports.
- Trained the US Navy, Royal Navy, Dutch Navy, and Russian Navy on Visual Board Search and Seizure (VBSS) supporting the Gulf War, Desert Storm, Desert Shield, and the War in Iraq.
- Trained Royal Life Saving Service (UK) on port security.
- Assigned to Navy Training Command to draft and publish VBSS manual. Then assigned to Florida Community College of Jacksonville Florida to train instructors for VBSS courses. The US Navy now uses the local college instead of the US Coast Guard to conduct VBSS training.
- Designed and implemented security plan to protect oil wells off of Iraq during the war.
- Conducted Port Security assessment for Northeast Florida following 9/11. Set up port protection for critical infrastructures, high value assets, cruises ships, and US Navy ships and submarines entering and exiting ports.
- Designed and implemented security plan for US Air Force Space Command and NASA for all launches and other vehicles that use the offshore ranges in the Atlantic Ocean. This plan included diverting all ship and air traffic in the area, by coordinating with all branches of the military, shipping companies, and FAA.
- US Coast Guard works with the International Maritime Organization by helping foreign countries in becoming compliant with the International Ships and Ports Security (ISPS) code enacted in 2004. Parts of my duties were to help in the design and implementation of a security a plan that helps protect their ports. Countries I supported were Greece, Italy, UK, Germany, (most of Europe) and all of the Caribbean Islands.
- Conducted Presidential Security for Pres. Clinton on Amelia Island Florida.
- Conducted Presidential Security for Pres. Bush in Jacksonville Florida.
- In 2004 planned and conducted port security for the G8 summit in Sea Island Georgia.
- Last tour of duty I was assigned as an Instructor to US Coast Guard Training Center in Yorktown Virginia at the Port Operations School. Duties were to teach all branches of the US military and foreign governments on Port Operations which include Port Security.

Education

Bachelor of Science in Business Management (BSBM)
 Master of Business Administration (MBA)
 Master's in Human Resources (PHR)

James Dubberly - Duties and Responsibilities as Port Director

Duties and Responsibilities:

The Port Director will assure that the Port of Fernandina Beach is compliant with its enabling legislation and other governmental regulations and policies, including, but not limited to, the Policies Regulating Performance of Duties of the Ocean Highway and Port Authority (OHPA), Human Resources Policy Manual and Purchasing Policy and Security Policy.

Detailed duties include:

- Port Director will identify improved methods, processes and procedures for achieving more efficient and secure operations of the physical facilities, both Port and tenant managed, at the Port of Fernandina Beach in order to maximize revenues and manage expenses.
- Administer the engineering, strategic planning, and construction and maintenance functions of the OHPA port facilities.
- Direct the overall administration and operation of the Port's engineering, construction and maintenance staffs/contractor, port security, harbormaster and other operations related to the functions of the Port of Fernandina Beach.
- Monitor office functions and transactions in the Executive, Finance, Purchasing, Human Resources, Lease Management, Business Development and General Administration Departments to ensure they are conducted in accordance with Port policies and procedures. Make recommendations regarding management, staffing requirements and facility development concerns. Schedule staff meetings to develop agendas for Monthly Board Meetings, assist in the preparation of the Port Director's Report, prepare and present agenda items to the Board of Commissioners for consideration.
- Develop short and long-range capital improvement and maintenance needs to support cargo movement, port expansion and port security to ensure Fernandina Beach's port facilities are among the best, most efficient and secure in the State of Florida and the United States.
- Prepare Operating, Renewal and Replacement, and Capital Budgets to appropriate funds and grants for Port operations and the long-term Capital Expansion Program of the Port.
- Prepare, negotiate and recommend award of all engineering and construction contracts/agreements entered into by the Port. Upon award, monitor progress and ensure progress payment applications are fully supported by the required documentation, especially those projects payable by Federal or State grants.

- Participate in activities related to Board relations, staff management, economic development, public relations/news releases, advertising, engineering plans, strategic planning, government relations, legislation, requests for proposals, purchases exceeding \$10,000 and personnel new hires, promotions and counseling. Act as a liaison to local, regional, state and federal government agencies, related maritime and development agencies, community organizations, shippers and ship lines, related major transportation companies and associated Port community stakeholders to include, but not limited to, the U. S. Coast Guard, the U.S. Army Corps of Engineers and related Port associations (American Association of Port Authorities, Florida Ports Association, Atlantic Ports Association and others). Maintain liaison with the officials of these organizations, governments and businesses on matters pertaining to the maritime industry to support, preserve and enhance the important contributions of the Port of Fernandina Beach to the economic vitality of the Nassau County and the region.

Qualifications, Skills and Experience:

The Ocean Highway and Port Authority is seeking a highly respected individual with ten years of executive level management experience, preferably in ports or other maritime related positions, with an undergraduate degree from an accredited college or university in business, transportation, engineering or a related field.

Candidates should also be innovative problem solvers and excellent communicators adept in delivering superior customer service and able to execute detailed plans in a constantly changing environment. Contract negotiation and project management skills are a plus, as well as public speaking, business writing and community relations experience.

The candidate must also have a valid driver's license and a good driving record and be able to obtain a Transportation Worker Identification Credential (TWIC).

Compensation and Benefits:

The salary range for this exempt position:

\$1 (One Dollar) a month for 6 months.

The Ocean Highway and Port Authority is an Equal Opportunity Employer.



Administrative Office Manager Report

ADMINISTRATIVE OFFICE MANAGER'S REPORT

January 2021

Hours Worked December – 45.5

- Attended and completed meeting minutes for the December 9, 2020
- Prepared, attended and completed meeting minutes for the December 28 Special Meeting
- Invoices paid and entered into QuickBooks
- Payroll entered into QuickBooks
- Responded to all emails and corresponding documents/letters
- Website Updates
- Electronic file organizing

Public Records Request Received in November – 3

City Commissioner Chip Ross: see attached emails

From: ohpanc@gmail.com
Sent: Wednesday, December 23, 2020 11:17 AM
To: Chip Ross
Subject: RE: Tug Boat Purchase

Thank you, you as well.

Sent from [Mail](#) for Windows 10

From: [Chip Ross](#)
Sent: Wednesday, December 23, 2020 11:11 AM
To: ohpanc@gmail.com
Cc: [Chip Ross](#)
Subject: RE: Tug Boat Purchase

Thank you. I hope you and your family have a safe and happy holidays.

Chip Ross
Commissioner
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034
(410) 394-0220 | cross@fbfl.org
www.fbfl.us



If this email is related to the Board, Committee or Commission that you serve on, please **DO NOT REPLY TO ALL.**

Disclaimer: According to Florida Public Records Law, email correspondence to and from the City of Fernandina Beach, including email addresses and other personal information, is public record and must be made available to the public and media upon request, unless otherwise exempted by the Public Records Law. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: ohpanc@gmail.com [ohpanc@gmail.com]
Sent: Wednesday, December 23, 2020 11:06 AM
To: Chip Ross
Cc: jeb@jebbranham.com; sjbryan@fbnewsleader.com; miriam@miriamrhill.com; Chip Ross
Subject: RE: Tug Boat Purchase

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender, were expecting this email, and know the content is safe.

Good morning Commissioner Ross, attached are the documents pertaining to the Tugboat purchase.

Barb Amergian

OHPA
Administrative Office Manager

Sent from [Mail](#) for Windows 10

From: [Chip Ross](#)
Sent: Wednesday, December 23, 2020 10:15 AM
To: ohpanc@gmail.com
Cc: jeb@jebbranham.com; sjbryan@fbnewsleader.com; miriam@miriamrhill.com; [Chip Ross](#)
Subject: RE: Tug Boat Purchase

I was wondering when I might get the requested materials. Thanks

Chip Ross
Commissioner
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034
(410) 394-0220 | cross@fbfl.org
www.fbfl.us



If this email is related to the Board, Committee or Commission that you serve on, please **DO NOT REPLY TO ALL.**

Disclaimer: According to Florida Public Records Law, email correspondence to and from the City of Fernandina Beach, including email addresses and other personal information, is public record and must be made available to the public and media upon request, unless otherwise exempted by the Public Records Law. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: ohpanc@gmail.com [ohpanc@gmail.com]
Sent: Monday, December 14, 2020 4:03 PM
To: Chip Ross
Cc: jeb@jebbranham.com; Chip Ross
Subject: RE: Tug Boat Purchase

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender, were expecting this email, and know the content is safe.

I will work on getting this information to you this week.

Barb

Sent from [Mail](#) for Windows 10

From: [Chip Ross](#)
Sent: Monday, December 14, 2020 11:17 AM
To: ohpanc@gmail.com

Cc: jeb@jebbranham.com; [Chip Ross](#)

Subject: Tug Boat Purchase

I would like a copy of all material that has been sent to the OHPA Commissioners concerning the proposed purchase of a tug boat [subject of the 28 December special meeting]. If not included in that material I would like a copy of the final grant that is going to pay for this purchase and a copy of the agreement between OHPA and the Port operator concerning the use of this asset. Please acknowledge receipt. Thank you.

Chip Ross
Commissioner
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034
(410) 394-0220 | cross@fbfl.org
www.fbfl.us



If this email is related to the Board, Committee or Commission that you serve on, please **DO NOT REPLY TO ALL**.

Disclaimer: According to Florida Public Records Law, email correspondence to and from the City of Fernandina Beach, including email addresses and other personal information, is public record and must be made available to the public and media upon request, unless otherwise exempted by the Public Records Law. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: ohpanc@gmail.com
Sent: Wednesday, December 23, 2020 11:06 AM
To: Chip Ross
Cc: jeb@jebbranham.com; sjbryan@fbnewsleader.com; miriam@miriamrhill.com; Chip Ross
Subject: RE: Grant 1943 FDOT

Good morning Commissioner Ross – here are the documents pertaining to your request on FDOT Grant 1943.

Barb Amergian
OHPA
Administrative Office Manager

Sent from [Mail](#) for Windows 10

From: [Chip Ross](#)
Sent: Wednesday, December 23, 2020 10:17 AM
To: ohpanc@gmail.com
Cc: jeb@jebbranham.com; sjbryan@fbnewsleader.com; miriam@miriamrhill.com; [Chip Ross](#)
Subject: RE: Grant 1943 FDOT

I was wondering when I might get a copy of the requested materials. Thanks
Chip Ross
Commissioner
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034
(410) 394-0220 | cross@fbfl.org
www.fbfl.us



If this email is related to the Board, Committee or Commission that you serve on, please **DO NOT REPLY TO ALL**.

Disclaimer: According to Florida Public Records Law, email correspondence to and from the City of Fernandina Beach, including email addresses and other personal information, is public record and must be made available to the public and media upon request, unless otherwise exempted by the Public Records Law. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: ohpanc@gmail.com [ohpanc@gmail.com]
Sent: Monday, December 14, 2020 4:01 PM
To: Chip Ross
Cc: jeb@jebbrahmam.com; Chip Ross
Subject: RE: Grant 1943 FDOT

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender, were expecting this email, and know the content is safe.

I will work on getting that information to you this week.

Barb

Sent from [Mail](#) for Windows 10

From: [Chip Ross](#)

Sent: Monday, December 14, 2020 11:04 AM

To: ohpanc@gmail.com

Cc: jeb@jebbrahmam.com; [Chip Ross](#)

Subject: Grant 1943 FDOT

I would like a copy of the grant application for Grant 1943 (grant for covered storage area) and any correspondence from FDOT (including the approval of the grant] subsequent to the application. Please acknowledge receipt of this request. Thank you.

Chip Ross
Commissioner
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034
(410) 394-0220 | cross@fbfl.org
www.fbfl.us



If this email is related to the Board, Committee or Commission that you serve on, please **DO NOT REPLY TO ALL**.

Disclaimer: According to Florida Public Records Law, email correspondence to and from the City of Fernandina Beach, including email addresses and other personal information, is public record and must be made available to the public and media upon request, unless otherwise exempted by the Public Records Law. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: chip ross

Sent: Tuesday, January 5, 2021 8:35 AM

To: Jeb Branham

Cc: Barb Amergian (ohpanc@gmail.com); Danny Fullwood; dfullwood@portoffernandina.org; Chris Ragucci (chris.ragucci@worldwideterminals.com); Miriam@MiriamRHill.com; chip ross

Subject: RE: Request for OHPA records

Thank you for your prompt response. When might I reasonably expect a reply from World Wide Terminals and Nassau Terminals?

Sent from [Mail](#) for Windows 10

From: [Jeb Branham](#)

Sent: Monday, January 4, 2021 5:00 PM

Subject: RE: Request for OHPA records

Commissioner Ross,

OHPA's response to Requests nos. 1, 3, and 5-7 was complete when made on December 23, 2020. OHPA does not have any requested documents. Worldwide Terminals Fernandina, LLC and Nassau Terminals, LLC will have to make any further responses, as noted in OHPA's original response. Further responses to requests nos. 2 and 4 are below.

Request no. 2: This request has been narrowed to a "request to inspect the Operator's accounting gross income statement." OHPA does not have the requested document. By copy of this email, I am providing WTF and Nassau Terminals with your narrowed request and requesting that they respond to it pursuant to the applicable public records laws.

Request no. 4: This request has been narrowed to a "request to inspect accounts of payments to the Port Authority by the Operator." Ms. Amergian will collect the requested documents. If it appears extensive use of labor will be required to respond to the request, we will provide you with an estimate of costs.

JEB T. BRANHAM, P.A.

Jeb T. Branham

419 3rd Street North

Jacksonville Beach, Florida 32250

Tel: (904) 339-0500; Fax: (904) 339-0501

jeb@jebbranham.com

www.jebbranham.com

This message and any attachments might contain confidential information subject to the attorney-client privilege or otherwise protected by law. If you have received this message in error, you are notified that dissemination or copying of it, or the information in it, is prohibited. Please permanently delete the message and notify the sender by emailing denise@jebbranham.com.

From: chip ross <chip14758@hotmail.com>
Sent: Thursday, December 24, 2020 3:44 PM
To: Jeb Branham <jeb@jebbranham.com>
Cc: Barb Amergian (ohpanc@gmail.com) <ohpanc@gmail.com>; Danny Fullwood <dannyfullwood@bellsouth.net>; dfullwood@portoffernandina.org; Chris Ragucci (chris.ragucci@worldwideterminals.com) <chris.ragucci@worldwideterminals.com>; Miriam@MiriamRHill.com; chip ross <chip14758@hotmail.com>
Subject: RE: Request for OHPA records

Thank you for your prompt response. Please see below in red, replying to your responses.

chip ross

Request 1: The last two annual reports and projected expenses due July 1, 2019 and 2020 required by Section 2.3 of the Operating Agreement.

Response: OHPA does not have the requested documents. However, you have defined "OHPA" as including World Wide Terminals Fernandina, LLC and Nassau Terminals, LLC. By copy of this email, I am providing WTF and Nassau Terminals with your request and requesting that they respond to it pursuant to the applicable public records laws.

Requestors reply 24 December 2020: Section 2.3 of the Operating Agreement states in pertinent part that "on July 1 of each year, provide the Port Authority with a written maintenance report and account on each piece of equipment owned by the Port Authority and utilized by the Operator on, together with each building, shed, shack, scale, and warehouse owned by the Port Authority and utilized by Operator, together with the projected expenses for the maintenance, replacement or repair of such item for the next fiscal year."

Please confirm that the Port Authority has never been provided these reports and therefore does not have them in the Port Authority's possession.

Request 2: Documents relating to all amounts due to Operator under the Operating Agreement plus all other revenues, fees or charges collected by Operator resulting from the rendering of services by Operator pursuant to the Operating Agreement.

Response: OHPA asks that you narrow the scope of this request. The use of "relating to" and the way you have defined that term makes it all but impossible for OHPA to determine what records you seek. Nearly every financial record OHPA has that was created since October 2018 could be responsive to the request as written. For example, we could provide you with copies of OHPA's invoices sent to the Operator. If you do not want to narrow the request, we can make all of the financial records available for your inspection at OHPA's office. Alternatively, we can provide

you with an estimate for copying all of these records and the cost of the time required to do this. Let us know how you would like to proceed.

Requestors reply 24 December 2020: To begin with, narrow the request to inspect the Operator's accounting gross income statement.

Request 3: Documents relating to the maintenance of insurance coverage required by Ch. 4 of the Operating Agreement, including but not limited to Workers Compensation, Comprehensive General Liability Insurance, Property Insurance.

Response: OHPA does not have the requested documents. However, you have defined "OHPA" as including World Wide Terminals Fernandina, LLC and Nassau Terminals, LLC. By copy of this email, I am providing WTF and Nassau Terminals with your request and requesting that they respond to it pursuant to the applicable public records laws.

Requestors reply 24 December 2020: Please confirm that the Port Authority has never been provided copies of these policies and therefore does not have them in the Port Authority's possession.

Request 4: All documents relating to the obligations of Operator to OHPA for compensation required by Ch. 6 of the Operating Agreement, including but not limited to quarterly and annual payment for the annual operating budget of OHPA, the Annual DRI payment of OHPA to the City of Fernandina Beach in 2019 and 2020, Facility Use Fees, Capital Improvements and Maintenance Reserve Fund.

Response: OHPA asks that you narrow the scope of this request. The use of "relating to" and the way you have defined that term makes it all but impossible for OHPA to determine what records you seek. Nearly every record OHPA has since October 2018 would be responsive to the request as written. For example, if you limit the request to items that "discuss" the categories you listed, we could respond. If you do not want to narrow the request, we can make records available for your inspection at OHPA's office and provide you with an estimate of the cost of compiling these records. Alternatively, once they are compiled, we can provide you with an estimate for copying them. Let us know how you would like to proceed.

Requestors reply 24 December 2020: To begin with, narrow the request to inspect accounts of payments to the Port Authority by the Operator.

Request 5: All documents relating to the Capital Improvement Program referred to in Section 6.9 of the Operating Agreement.

Requestors reply 24 December 2020:

Section 6.9 of the Operating Agreement states in pertinent part that “the Port Authority and Operator agree to meet annually throughout the term of the Operating contract to mutually develop a plan and budget for capital improvements and repairs for the subsequent five years (5) years on a rolling basis (the Capital Improvement Program”.)

Please confirm that the Port Authority has never been provided a copy of the Capital Improvement Programs plan and therefore does not have the plan in the Port Authority’s possession.

Response: OHPA does not have the requested documents. However, you have defined “OHPA” as including World Wide Terminals Fernandina, LLC and Nassau Terminals, LLC. By copy of this email, I am providing WTF and Nassau Terminals with your request and requesting that they respond to it pursuant to the applicable public records laws.

Request 6: All documents relating to new or additional revenue streams referred to in Section 6.10 of the Operating Agreement.

Response: OHPA does not have the requested documents. However, you have defined “OHPA” as including World Wide Terminals Fernandina, LLC and Nassau Terminals, LLC. By copy of this email, I am providing WTF and Nassau Terminals with your request and requesting that they respond to it pursuant to the applicable public records laws.

Request 7: Documents relating to all notice to the Port Authority required by Section 7.4 of the Operating Agreement, including but not limited to: Process to invoke a proceeding for civil, administrative or criminal proceedings, breach of security, arrival of any Certain Dangerous Cargo, Inspections by state or federal government, and local public safety/fire inspections.

Response: OHPA does not have the requested documents. However, you have defined “OHPA” as including World Wide Terminals Fernandina, LLC and Nassau Terminals, LLC. By copy of this email, I am providing WTF and Nassau Terminals with your request and requesting that they respond to it pursuant to the applicable public records laws.

Please confirm that the Port Authority has never been notified of any of the events enumerated in Section 7.4 and therefore does not have any notification documents in the Port Authority’s possession.

Thank you

Sent from [Mail](#) for Windows 10

From: [Jeb Branham](#)

Sent: Wednesday, December 23, 2020 2:36 PM

To: chip14758@hotmail.com

Cc: [Barb Amergian \(ohpnc@gmail.com\)](mailto:Barb.Amergian@ohpnc@gmail.com); [Danny Fullwood](#); dfullwood@portoffernandina.org; [Chris Ragucci \(chris.ragucci@worldwideterminals.com\)](mailto:Chris.Ragucci@worldwideterminals.com)

Subject: Request for OHPA records

Commissioner Ross,

This email responds to your request for records dated December 19, 2020 sent via email to Barb Amergian. The requests and OHPA's responses to them are below.

Request 1: The last two annual reports and projected expenses due July 1, 2019 and 2020 required by Section 2.3 of the Operating Agreement.

Response: OHPA does not have the requested documents. However, you have defined "OHPA" as including World Wide Terminals Fernandina, LLC and Nassau Terminals, LLC. By copy of this email, I am providing WTF and Nassau Terminals with your request and requesting that they respond to it pursuant to the applicable public records laws.

Request 2: Documents relating to all amounts due to Operator under the Operating Agreement plus all other revenues, fees or charges collected by Operator resulting from the rendering of services by Operator pursuant to the Operating Agreement.

Response: OHPA asks that you narrow the scope of this request. The use of "relating to" and the way you have defined that term makes it all but impossible for OHPA to determine what records you seek. Nearly every financial record OHPA has that was created since October 2018 could be responsive to the request as written. For example, we could provide you with copies of OHPA's invoices sent to the Operator. If you do not want to narrow the request, we can make all of the financial records available for your inspection at OHPA's office. Alternatively, we can provide you with an estimate for copying all of these records and the cost of the time required to do this. Let us know how you would like to proceed.

Request 3: Documents relating to the maintenance of insurance coverage required by Ch. 4 of the Operating Agreement, including but not limited to Workers Compensation, Comprehensive General Liability Insurance, Property Insurance.

Response: OHPA does not have the requested documents. However, you have defined "OHPA" as including World Wide Terminals Fernandina, LLC and Nassau Terminals, LLC. By copy of this email, I am providing WTF and Nassau Terminals with your request and requesting that they respond to it pursuant to the applicable public records laws.

Request 4: All documents relating to the obligations of Operator to OHPA for compensation required by Ch. 6 of the Operating Agreement, including but not limited to quarterly and annual payment for the annual operating budget of OHPA, the Annual DRI payment of OHPA to the City of Fernandina Beach in 2019 and 2020, Facility Use Fees, Capital Improvements and Maintenance Reserve Fund.

Response: OHPA asks that you narrow the scope of this request. The use of "relating to" and the way you have defined that term makes it all but impossible for OHPA to determine what records you seek. Nearly every record OHPA has since October 2018 would be responsive to the request as written. For example, if you limit the request to items that "discuss" the categories you listed, we could respond. If you do not want to narrow the request, we can make records available for your inspection at OHPA's office and provide you with an estimate of the cost of compiling these records. Alternatively, once they are compiled, we can provide you with an estimate for copying them. Let us know how you would like to proceed.

Request 5: All documents relating to the Capital Improvement Program referred to in Section 6.9 of the Operating Agreement.

Response: OHPA does not have the requested documents. However, you have defined "OHPA" as including World Wide Terminals Fernandina, LLC and Nassau Terminals, LLC. By copy of this email, I am providing WTF and Nassau Terminals with your request and requesting that they respond to it pursuant to the applicable public records laws.

Request 6: All documents relating to new or additional revenue streams referred to in Section 6.10 of the Operating Agreement.

Response: OHPA does not have the requested documents. However, you have defined "OHPA" as including World Wide Terminals Fernandina, LLC and Nassau Terminals, LLC. By copy of this email, I am providing WTF and Nassau Terminals with your request and requesting that they respond to it pursuant to the applicable public records laws.

Request 7: Documents relating to all notice to the Port Authority required by Section 7.4 of the Operating Agreement, including but not limited to: Process to invoke a proceeding for civil, administrative or criminal proceedings, breach of security, arrival of any Certain Dangerous Cargo, Inspections by state or federal government, and local public safety/fire inspections.

Response: OHPA does not have the requested documents. However, you have defined "OHPA" as including World Wide Terminals Fernandina, LLC and Nassau Terminals, LLC. By copy of this email, I am providing WTF and Nassau Terminals with your request and requesting that they respond to it pursuant to the applicable public records laws.

JEB T. BRANHAM, P.A.

Jeb T. Branham
419 3rd Street North
Jacksonville Beach, Florida 32250
Tel: (904) 339-0500; Fax: (904) 339-0501
jeb@jebbranham.com
www.jebbranham.com

This message and any attachments might contain confidential information subject to the attorney-client privilege or otherwise protected by law. If you have received this message in error, you are notified that dissemination or copying of it, or the information in it, is prohibited. Please permanently delete the message and notify the sender by emailing denise@jebbranham.com.