



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

May 06, 2021

The Ocean Highway and Port Authority of Nassau County held its Special Meeting on Tuesday, March 30, 2021 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 10:30 AM by Chairman Fullwood.

The invocation was given and the Pledge of Allegiance was led by Chairman Fullwood. Roll call was conducted by Rossana Hebron. All Commissioners were present. Also in attendance were Patrick Krechowski, Port Attorney; Pierre LaPorte, Port Accountant; and Chris Ragucci, Port Director/Operator.

Review RFP Port Master Plan

Chairman Fullwood indicated he reviewed and incorporated the document on Port of Palm Beach Request for Qualifications (RFQ), submitted by Commissioner Hill, into the Port Master Plan as best he can. The word "Proposal" was changed to "Qualification." The document is similar to the Port's existing draft with the addition of a cover sheet. A PowerPoint of the combined documents was provided for the viewing audience.

Mr. Ragucci offered to impose a workable structure to the discussion. He stated he did not receive the document until the present time. He suggested the Board work on the working draft he compiled with Mr. Krechowski's recommendations incorporated into it, and allow Commissioner Hill to insert the sections she wants from the Port of Palm Beach RFQ into the draft. He argued the document is a Request for Proposals because it asks for more than qualifications. Chairman Fullwood proposed the Board review both documents and combine the necessary elements into one.

Commissioner Hill asked Mr. Krechowski to explain the difference between an RFQ and an RFP, the price and qualifications, and scope for a better choice of words. In his opinion, the Port of Palm Beach document reads more like an RFQ. Ultimately, the title of the final document is at the Board's discretion. Commissioner Hill thanked Mr. Ragucci for composing the initial document. In her opinion, that document seems to be more like an RFQ, because it solicits for professional services. Additionally, an RFQ evaluates qualifications on the onset, reach a ranking of the candidates, and then begin pricing negotiations. Importantly, it separates the qualifications analysis from the price analysis. It provides a more structured process for the award of professional contract. She added an RFQ is the better choice because the Board has yet to discover the true

scope of the project. If a firm finds the project in a broad sense, they may come forward with particular qualifications and present different proposals giving the Board the flexibility to think about the project.

Mr. Ragucci concurred what is important is the content of the document not just the title. Moreover, the document requests for qualifications and not pricing. Commissioner Hill complemented that Mr. Ragucci's draft included the Board will rank and negotiate with the top three candidates. This gives the Board the opportunity to choose based on qualifications and proceed to negotiate based on price and proposal. Mr. Ragucci suggested a public approach to the ranking and selection of candidates. Submissions be open to the public. Rossana would log the submissions. He further suggested Mr. Krechowski and Commissioners can be present at the opening of the submissions. Then interviews and selections will follow.

The Board reviewed and discussed both documents in length. Some notable recommendations are as follow:

- Mr. Krechowski suggested to include the ranking, elimination, elevation, and selection responses/decisions will be open in a public meeting at a designated time and date. The Board may delegate to the staff the ranking of the top three candidates, and the Board will, in turn, make the selection from that list.
- Mr. Ragucci suggested to add the phrase "...and to cancel or terminate the RFP process at any time at its sole discretion."
- Mr. Krechowski suggested to add the cover page that states the what, when, and where regarding the due dates. In addition, it should be clear on due dates and contact person for inquiries. The contact person is Rossana Hebron.
- Commissioner Hill recommended to explain the process before attaching the specifics or components of the project as an exhibit.
- Change all references of the Port of Palm Beach to the Port of Fernandina Beach.
- Commissioner Hill requested the Board retain the authority to approve rather than delegating to another entity.
- The Background section of the new draft is similar to the original draft per Commissioner Hill.
- Mr. Ragucci requested the combined and revised document be circulated in haste by the next monthly meeting for approval.
- Commissioner Hill stated the document should include increasing and improving the existing business relationships as well as new projects and new business relationships in the Scope of Work which both drafts mention.
- Mr. Krechowski confirmed per Section 311 of the Port Statutes, "the Plan will identify 5-year, 10-year, and 20-year needs for the Seaport system and will include seaport, waterway, and rail projects. Each Port shall develop a Strategic Plan with a 10-year horizon."
- Section 339.155 is the Public Transportation Planning chapter. It is the states long-range transportation objectives accomplishing a period of at least 20 years. The consensus is to leave that portion in the document.
- Chairman Fullwood suggested Section 163.3178(2)(k) of the Florida Statutes remain on the document.

- Chairman Fullwood recommended replacing the portion that states “within 3-miles” on Section 163.3178(3) and replace with “the District.”
- Mr. Krechowski recommended leaving the portion regarding Stakeholder Outreach Program on the document. It allows the consultant to present, as necessary, to the Board in a public meeting or present to other Port business entities current events and activities. Mr. Ragucci added to strike the word “Tenants.” The word “Stakeholders” include, not just the public, also customers of the Port and the City government.
- The word infrastructure should include to support regional projects per Commissioner Hill’s request.
- As Commissioner Hill explained, the Port is sensitive to increases in truck traffic. Therefore, the document should mention exploration of rail, barge, and other modal opportunities.
- RoRo operations means roll on, roll off.
- Mr. Ragucci explained the ships use their own power because the Port does not have the capacity to provide such need. This reduces emissions from idling ships.
- Do not include information regarding compensation at this time. It will be negotiated with the selected candidates. The selection process will solely focus on the candidates’ qualifications.
- FSTED stands for Florida Seaport Transportation and Economic Development Council.
- Commissioner Hill requested to include the language, “Identify both projects, facility, and infrastructure developments and improvements needed to improve, sustain, and attract for commercial port activity.
- Commissioner Hill recommended expanding the phrase, “the growth and success of the Port,” to the broader term “Port related businesses.” Mr. Ragucci warned not to go too broad of a term for the purpose of analysis and funding. Mr. Krechowski suggested using the term “OHPA opportunities.”
- Commissioner Hill requested to add the phrase “jobs within Nassau County.” It allows to focus on the impact and job creation within Nassau county.
- Commissioner Hill requested to include “contractual and other commitments between OHPA and other public and private entities.”
- Commissioner Hill requested to include candidates’ experience and provide contact reference. Also include “demonstrate expertise and experience in land planning, comprehensive plans, and local land development regulations.”
- Replace “Nationally recognized” with “recognize by the industry” per Mr. Krechowski’s suggestion.
- Mr. Ragucci explained the Master Plan becomes the foundation for Grant applications. It verifies the importance and cost of a project.
- Strike the number “3” from the selection of the top-ranking candidates and replace with “top proposers.” This relieves the limitations on the number of candidates selected by the Board.
- The ranking process will take place in a public meeting by the Board. Alternatively, the Board may delegate the ranking process at a staff level and be presented with a top-rank list to choose the one.
- For technical qualifications, Mr. Krechowski and Mr. Ragucci will assess if the submissions are in compliance with the RFQ parameters and will advise the Board.

- Mr. Ragucci requested to solicit ten hardcopies and two electronic submissions from applicants.
- Final document approval is on May 12th; issue date is May 14th; receive inquiries by May 21st; the Board will respond on May 25th; and completed packets due May 28th at 3PM. June 2nd at 4PM, schedule a Special Meeting to select top three applicants. June 9th, during the Monthly meeting, the top ranked applicants will be invited for interviews.
- Commissioner Hill confirmed that the Board will select the top-ranking applicants and will confer with Mr. Ragucci. Chairman Fullwood concurred.
- Mr. Krechowski offered to proofread in detail the combined draft for consistency, grammar, punctuations, and the like.

With no other questions brought before the Board, Chairman Fullwood called for a five-minute recess.

City of Fernandina Beach Comprehensive Plan Revisions

Chairman Fullwood introduced Genece Minshew to provide an update regarding the City's Comprehensive Plan (Comp Plan). She is the Chairwoman for the City's Planning Advisory Board (PAB). The Sub-Committee consists of Jake Platt, Pete Stevenson, Mark Bennett, Victoria Robas, and Chairwoman Minshew. Chairwoman Minshew mentioned the PAB recently selected a vendor to assist in rewriting the Comprehensive Plan Port Sub-Element and LBC. The PAB applied certain criteria in selecting the vendor, and Chairwoman Minshew offered to share that method to the Board. She continued by thanking Commissioner Hill for attending their meetings and providing assistance where needed:

Chairwoman Minshew explained the State requires the municipalities with deep water ports within their boundaries must have a Statute-compliant Port Sub-element in their Comprehensive Plan. The sub-Committee (PAB) has the task to update the current Port Sub-element to meet the State requirements. The current Port Sub-element is not in compliance and has not been updated for many years. In 2017-18 work was done but the resulting document was never approved the City Commission. Accordingly, the PAB used the 2018 document as a foundation to rewrite an updated Port Sub-element portion.

The proposed Port Sub-element is separated into sections that are "Required" by State statutes and other sections labeled "Not Required." Additionally, the PAB identified those local interest elements that citizens would like to see in the City's Comp Plan. These components, the PAB believes, would best be served under a local agreement and not necessarily in a Comp Plan. A final draft document will be presented to the full PAB next Wednesday, May 12th for discussions and approval. Subsequently, it will be presented to the City Commission sometime this summer. The full PAB stands ready to receive comments and input from the OHPA Board via joint meetings or the legal staffs (between Mr. Krechowski, Port Attorney, and Tammy Bach, City Attorney). The PAB gave the OHPA Board the pleasure to choose which approach to communicate their thoughts, ideas, and concerns regarding the Port Sub-element. Chairwoman Minshew affirmed the PAB's goal is to bring their Comp Plan into State compliant regarding the Port sub-element, nothing more and nothing less. Furthermore, as the OHPA Board composes their Master Plan with revisions and updates, the PAB will follow accordingly.

Chairman Fullwood confirmed OHPA does not have to adopt the City's Comp Plan. Conversely, the City has to adopt the components of OHPA's Master Plan. He stated there are components in the Comp Plan that OHPA has issues with and would like to revise or remove. There are components that the Board would like to incorporate in the Master Plan. Some of those issues were identified during the meeting. Inquiries were answered and explanations provided by both Jake Platt, City Senior Planner, and Chairwoman Minshew.

Some notable items for discussions are as follows:

- The word "shall" change to "must," where it appears in the document.
- Commissioner Hill explained some of the items labeled "Required" are not specifically called out in the Statutes. Chairwoman Minshew answered the "Required" items indicate those that are required components for the document to be State compliant. The verbiage beneath those "Required" items is subject for discussion.
- Industrial and mixed-use zoning of property owned by the Port: The Board plans to build a new Customs/Border House and office/meeting space. Mr. Platt explained the policy does not prohibit the re-zoning of lots.
- Complementary upland development opportunities indicate OHPA can explore expansion as long as it is complementary and appropriately zoned not within the Historic District.
- Mr. Krechowski explained the Port essentially has to comply with the City's land development code. If there are obligations in the Charter and on the part of the City that may need some cohesion, flexibility, or malleability, it should be addressed in the local agreement.
- Per Chairman Fullwood, Policy 5.03.02, the language of the 30-foot buffer is restrictive. Commissioner Hill requested to include buffering language but remove a definitive measurement.
- With Policy 5.03.08, Commissioner Hill suggested to add the language that the City will follow the Statutes and process.
- Chairwoman Minshew explained since the Port is closely aligned with the Historic District and downtown area, there are issues and items that are of great local interest. Thus, she feels strongly to include the items labeled "Not Required" and allow the City Commission to decide regarding its inclusion in the Comp Plan.
- Chairwoman Minshew questioned if the inclusion of Objective 5P.07 was requested by OHPA in 2017-2018. She asked for guidance from the Board whether to include or remove it.
- Per Chairwoman Minshew, according to Jason Higgenbotham, Deputy Fire Chief/Fire Marshall, the Port's Security Plan is essentially all encompassing, including hazardous spills, hurricanes, immigration security, and the like. This is required by Federal Statutes, OSHA, and EPA. Inspection reports will suffice for filing with the City annually.
- Policy 5P.06.09 states the Port will not accept, transfer, load or store coal, coal ash, or Liquefied Natural Gas (LNG). The Port transfers LNG container. Chairwoman Minshew will discuss with the PAB.

Chairman Fullwood suggested to add discussion regarding the Comp Plan in the next meeting. He wants to continue working with the City and improve the relationships between the two entities.

Adjourn

With no other questions brought before the Board, the meeting was adjourned at 1:45PM.



Danny Fullwood, Chairman

6/09/2021

Date