

## AUGUST 15, 2013

The Board of County Commissioners, Manatee County, Florida, convened as the MANATEE COUNTY PORT AUTHORITY at Port Manatee in the Third Floor Meeting Room of the Port Manatee Intermodal Center, 1905 Intermodal Circle, Palmetto, Florida, at 1:30 p.m.

Present were members:

Carol Whitmore, Chairman  
John Chappie, First Vice-Chairman  
Michael Gallen, Second Vice-Chairman  
Vanessa Baugh, Third Vice-Chairman  
Betsy Benac  
Robin DiSabatino

Absent was member:

Lawrence E. Bustle, Jr.

Also present were:

Carlos Buqueras, Executive Director  
Jennifer R. Cowan, Port Authority Attorney  
Juanita Reinhold, Board Records,  
representing R. B. Shore, Clerk of Circuit Court

Invocation by Pastor Ben Pate, Chaplain, Manatee County Stockade.

### AGENDA

Agenda of August 18, 2013.

[PA20130815DOC001](#)

### CONSENT AGENDA

Motion was made by Mr. Chappie, seconded by Mrs. DiSabatino, and carried 6 to 0, to approve the Consent Agenda incorporating the language as stated in the recommended motions on the cover sheets for the Consent Agenda. Items APPROVED:

[PA20130815DOC002](#)

### WARRANT LIST

June 12, 2013 to August 6, 2013

[PA20130815DOC003](#)

### MINUTES

June 4 and 20, 2013

### BUDGET RESOLUTION

**Port Capital Improvement PA-13-15**  
Supporting Description and Detail Attached.

[PA20130815DOC004](#)

### INSURANCE AND RISK MANAGEMENT CONSULTING SERVICES

1. Confirm Continuation of Interisk Corporation as the Port Authority insurance and risk management consultant; and
2. Execution of Addendum 2 to the Insurance and Risk Management Consulting Services Agreement with Interisk Corporation, effective July 1, 2013.

[PA20130815DOC005](#)

### PORT INSURANCE RENEWAL FY 2013-2014

Approval of the following insurance coverage:

1. The Florida Municipal Insurance Trust (FMIT) for Real and Personal Property at a premium of \$186,766.00; Boiler and Machinery included in Real and Personal Property coverage; and Workers' Compensation at a premium of \$49,262.00; and Vehicle Liability at a premium of \$8,975.00.
2. Arthur J. Gallagher & Company for General Liability, Umbrella, Railroad Liability, Inland Marine and Hull coverage at premiums of \$60,780.00, \$65,000.00, \$48,775.95, \$20,940.74 and \$3,049.13, respectively;
3. Hugh Wood, Inc., for Public Officials coverage at premium of \$9,858.78; and
4. Additional \$26,672.00 fiscal year 2012-13 premium to FMIT.

[PA20130815DOC006](#)

### SHINN AND COMPANY LLC

Accept letter from Shinn and Company LLC and the Schedule of Agreed-Upon Procedures.

**Neal Unruh** representing Shinn and Company, reported on the pre-audit report. There are no issues at this time. Recommendations were made to staff regarding future accounting processes. All expenses over \$10,000.00 are in compliance.

Discussion: Complete inventory of everything in the Port; rectify vendor slow-pay; debt coverage now in compliance; etc. [PA20130815DOC007](#)

**UNCOLLECTIBLE ACCOUNTS**

Write off 2013 uncollectible accounts, \$46,380.49. [PA20130815DOC008](#)

**BERTH 12 - WHARF EXTENSION AND CONTAINER TERMINAL**

Ratify and affirm the action taken by the Executive Director on behalf of the Port Authority approving Engineer of Record Professional Services Authorization 13-13 with CH2M Hill; \$24,390.00.

Jennifer Cowan, Port Authority Attorney, explained additional language was added that by entering into the agreement, the Port is not waiving any rights that were previously in place.

Discussion: Stronger litigation position; resolution of issue; etc. [PA20130815DOC009](#)

(End Consent Agenda)

**RETIREMENT**

Carlos Buqueras, Executive Director, presented a retirement plaque to **Denise Gonzalez**, Security Department, commemorating her 11 years of service at Port Manatee.

**CHIEF OF STAFF AND SPECIAL PROJECTS DIRECTOR**

Mr. Buqueras introduced **Dave Sanford** as the new Chief of Staff and Special Projects Director. Mr. Sanford is the former Vice President of the American Association of Port Authorities of the United States. He looks forward to his continued working association with Port Manatee.

[PA20130815DOC010](#)

**BERTH 12 - WHARF EXTENSION AND CONTAINER TERMINAL PROJECT**

**Electric Services Scope**

Mr. Buqueras explained Change Order 011 increases the contract amount by \$4,109.23, but project savings total \$349,457.15 due to sales tax savings with the Authority being able to pay for materials directly.

Motion was made by Mrs. DiSabatino to approve Change Order 011 to the Contract with American Bridge Company for revisions to the electrical services scope due to changes in the planned location of future reefer plugs and primary service vault; an increase in the amount of \$4,109.23. The motion was seconded by Mrs. Benac and carried 6 to 0. [PA20130815DOC011](#)

**Geotechnical Services**

Mr. Buqueras commented on the Continuation of Addendum 3 to the Basic Agreement for Geotechnical Services and the development of Berth 12. George Isiminger, Director of Engineering and Environmental Affairs, stated the project is on schedule.

Discussion: Extension for soil compaction issues; resolution to reduction for load; problem resolution versus cost; no future cost to this plot of acreage; etc.

Motion was made by Mrs. DiSabatino to approve Addendum 3, Proposal SAR-12-1441 with Dunkelberger Engineering & Testing, Inc., for additional geotechnical services due to compaction difficulties behind the new Berth 12 bulkhead wall, \$20,693.91. The motion seconded by Mrs. Baugh and carried 6 to 0. [PA20130815DOC012](#)

**B & N WELDING & FABRICATION, INC.**

Mr. Buqueras stated Port Manatee Ship Repair, Inc., will be leaving the Port and the remaining lease will be assumed by B & N Welding & Fabrication, Inc.

Following discussion, motion was made by Mr. Gallen for execution of Port Manatee Document Assumption Agreement with B & N Welding & Fabrication, Inc. The motion was seconded by Mrs. Baugh and carried 6 to 0. [PA20130815DOC013](#)

**2013-14 BUDGET**

**PA-13-16** RESOLUTION ADOPTING THE 2013-2014 MANATEE COUNTY PORT AUTHORITY BUDGET.

Denise Stufflebeam, Director of Business Administration, outlined items on the budget including tenant revenues and yearly invoice expenditures. Unsigned pending contracts were not included in revenue figures.

Discussion: Property taxes are not used to operate the Port; increase in accelerated depreciation; business opportunities can produce increased revenue; etc.

**Dan Wolfson**, Clerk of the Circuit Court Finance Director, explained depreciation is the expense of an asset over its useful life.

Motion was made by Mr. Gallen, seconded by Mrs. Baugh, and carried 6 to 0, to adopt Budget Resolution **PA-13-16**. [PA20130815DOC014](#)

**DREDGING PRESENTATION**

Mr. Sanford provided an update on the dredging projects with the U.S. Army Corps of Engineers (The Corps). The Army Audit Agency had the accounts locked, and this is now resolved. Port funds are in escrow and should be sufficient to complete the General Re-Evaluation Report (GRR).

Three points briefly discussed:

1) The GRR determines feasibility of incorporation of the the connecting channels into the federal waterway systems. The channel now qualifies for the federal operation and maintenance funding. Berth 12 operation and maintenance is a Port responsibility, but the channel is critical to take full advantage of Berth 12. Credits can be received allowing for future project application.

2) Forward movement of the deepening study from 40 to 45 feet. An initial appraisal will be conducted and a brief study will be initiated. Senator Bill Nelsons' Office and Twenty-First Century Group, Inc., will be assisting the Port in receiving a timely study resolution.

3) Maintenance and Dredging: The Corps study indicates a significant amount of sediment in the channel, which results in a narrowing of width due to shoaling and sedimentation in the new turning basin. These items as well as off-shore material management and project design will be discussed with the Corps on Friday. If a determination is made that the cost will increase for sedimentation removal, the Port will assist with additional funding.

Discussion: GRR projected completion end of 2014; cost and time frame; federal operation and funding is provided; cycle for channel maintenance; studies can take up to three to four years; planning feasibility time frame 2018 to 2020; Congregational delegation support; etc.

**MANBIRTEE KEY**

Mr. Isiminger utilized a slide presentation outlining the history of the partnership between Gulfstream Natural Gas Pipeline, the National Audubon Society, and Port Manatee relating to the management of Manbirtee Key. Port Manatee performs the maintenance, The National Audubon Society helps to maintain the island, and Gulfstream Natural Gas created the island. The island is home to many species, one of which is the Lease Tern, an endangered species. During nesting season, public access to the island is prohibited.

Frank Holden, Director Seaport Security, discussed the Federal Security Zone that surrounds the island and the zone is able to be accessed by the public. The Coast Guard and Port created the Zone Watch Program, in which the public can apply, undertake a training course, and after meeting all other requirements, be given access to the waters around the island. Entrance to the island is prohibited. Up to 1,000 people have taken the course to be licensed and tagged to access this area. Program participants must notify security prior to arrival, carry a radio or phone, and display a plaque and a flag to be seen from the shore. Two security boats are in the water for response. The program has been very successful and is now considered a national best practice.

Discussion: Creation of islands by spoil is not common practice today; variety of habitats; access within the Coast Guard Zone only; public must be licensed; opportunity for broader access; security is first priority; etc.

[PA20130815DOC015](#)

**PORT AUTHORITY MEMBERS' COMMENTS**

**Request for Proposal (RFP)**

Mrs. DiSabatino requested a status update on the RFP for other engineering firms.

Mr. Isiminger clarified two general engineering selections were done in the past. The remaining two are CH2M Hill and Atkins, for at least the 12 years. A small firm selection was then conducted and Richard Claybrock, ZNS, VHB and Alison Engineering were selected. A Resolution passed by the Port Authority allows staff to use professional firms selected under the County process.

Discussion: Other firms may be interested in working with the Port; Production Preparation Process (3P) was outlined by Representative W. Gregory "Greg" Steube and is now being approved on the State level; restrictions for special districts with regard to piggy backing with an RFP should be researched; costs of new projects could vary; regularly scheduled RFPs for professional services for the Port; wait on revenues for this year; etc.

**Budget**

Mrs. Benac noted the revenues did not include federal funding, and alternative funding will be needed. Mr. Buqueras explained possible partnerships are always approached utilizing the 3P concept.

**MEETING ADJOURNED**

There being no further business, the meeting was adjourned.

Adj: 2:46 p.m.  
/jr

Minutes Approved: September 19, 2013