

If you would like to speak before the Canaveral Port Authority Board of Commissioners during Public Comments on a topic relevant to the Canaveral Port Authority Commission Agenda for this meeting, please complete a Public Comment Request card and give the card to the recording secretary. Public Comment Request cards are located near the outside entry doors next to the agenda for this meeting.

1. Please proceed to the podium when your name is called by the Commission Chairman and re-state your name for the recording secretary.
2. You will have **THREE MINUTES** to speak before the Board of Commissioners.
3. All statements are to be directed to the Commission Chairman; you may not address or question Board members or Port staff individually unless specifically directed to.
4. Please be respectful and remove hats and sunglasses. Using profane language is unacceptable.

No Board action will be taken on requests during Public Comments unless determined by the Commission Chairman to be an emergency. Any other requests for Board action may be placed on the agenda for a subsequent meeting.

## **CANAVERAL PORT DISTRICT BOARD OF COMMISSIONERS**

**April 27, 2016**

**Port Commission Room**

**Port Canaveral, Florida 32920**

### **AGENDA**

This meeting is open to the public

**9:00 a.m.**

- A. Meeting called to order and Pledge of Allegiance
- B. Approval of Agenda for this Meeting
- C. Personal Appearances and Presentations
  1. Post-Session Legislative Briefing (Robert Stuart, Gray Robinson)
  2. Port Signage Presentation (Jonathan Mugmon, Applied Wayfinding) (Related to Consent Item #14)
  3. Final Audit (Carr, Riggs and Ingram)
  4. Update on Indian River Lagoon (Dr. Duane De Freese, Indian River Lagoon Council)
  5. Logistics Center at Titusville, Marketing Strategy Update (Brian Lightle, LBR and David Murphy, CBRE)
- D. Commission Discussion Items
- E. Reports
  - (1) Accounting and Finance
    - a. Consideration of approving the Financial Reports for March 2016 (Poston)
      1. Statistical Report
      2. Aging Report
      3. List of Bills
      4. List of Disposals
      5. Attorney Fees
      6. Commissioner Expenses
    - b. Report of February 2016 Financial Statements (Rees)
  - (2) Chief Executive Officer
    - a. Status of on-going business (Murray)
    - b. Public Comment for Consent Agenda Items
    - c. Consent Agenda

- (1) Consideration of approving the Minutes of the March 23, 2016 Commission Meeting. (Bradford)
- (2) Consideration of approving various project contract change orders including:
  - a. Change Order #5 to GLF Construction Corp P14443 for a net increase for construction claims due to unforeseen circumstances and conditions, in the amount of \$76,985.74 for the Canaveral Harbor 44 Foot Channel Project – Package 1, Upland and Minor Marine Work (CN 1-8-10-12-014A).
  - b. Change Order #7 to Orion Marine Construction P13375 for a net decrease for unused dredging and contingency items and a correction for OCIP in the amount of (\$339,102.19).
- (3) Consideration of authorizing Purchasing Services to procure 8 fleet vehicles and equipment within the FY2016 capital budget through the "FLORIDA SHERIFFS ASSOCIATION, FLORIDA ASSOCIATION OF COUNTYS & FLORIDA FIRE CHIEF'S ASSOCIATION" 15-23-0904 Vehicle Bid Award and local vendors in accordance with Article XVII of the CPA charter, as amended, in an amount not to exceed \$189,000. (Carroll/Crowe)
- (4) Consideration of approving an increase to the following CH2M Hill Engineers Inc. engineering purchase orders for General Engineering Services for the remainder Fiscal Year 2016 Budget for a total NTE \$55,000. (Crowe)
  - P17866 – Operations Support for \$25,000
  - P17931 – Real Property Support for \$25,000
  - P17924 – Building Department Support for \$5,000
- (5) Consideration of approving an increase to Purchase Order P17115 for CH2M Hill Engineers Inc. for the remaining work on Cruise Terminal 5 mobile gangway in the amount not to exceed \$14,195, resulting in a new purchase order total of \$103,959. (Crowe)
- (6) Consideration of approving a purchase order to Ceres Marine Terminals in an amount NTE \$250,000, for additional labor due to ship movements during Cruise Terminal (CT) 5 renovation. (Blanchard/Rees)
- (7) Consideration of approving a Purchase Order to Ivey's Construction under their continuing services contract for necessary life-safety improvements to be made to the Northside Warehouse at 400 Dolphin Road in an amount not to exceed \$17,406. (Crowe)
- (8) Consideration of approving an increase to Purchase Order P17654 to Construction Engineering Group (CEG) under their continuing services contract to add bidding services and construction phase services to support the development of additional Vehicle Staging Areas (VSAs) currently under design in an amount not to exceed \$41,040. (Narváez-Lugo/Crowe)
- (9) Consideration of approving an increase to Purchase Order P17763 to CH2M Hill under their continuing services contract for additional design phase services to support the development of NCB3 & 4 in an amount not to exceed \$338,791. (Crowe)
- (10) Consideration of approving a Purchase Order to C & D Construction, Inc. under their continuing services contract for professional services for the installation of new pipes in both bathhouse buildings in the Jetty Park Campground in the amount not to exceed \$76,469.80. (Crowe)
- (11) Consideration of authorizing staff to issue a qualifications based competitive solicitation for Traffic and Transportation professional engineering services to provide a design criteria package for the development of the Westside Cruise Terminals Roadway Network Improvements project. (Narváez-Lugo/Crowe)
- (12) Consideration of approving an increase to Purchase Order P17558 to Wagner, Hohns, Inglis (WHI) for addition support of claims analysis and forensic scheduling review/reporting on claims from GLF Construction Corp. associated with the Canaveral Harbor 44 Foot Channel Project – Package 1, Upland and Minor Marine Work (CN 1-8-10-12-014A), in an amount not to exceed \$16,000. (Crowe)

- (13) Consideration of approving a purchase order to RS&H under their continuing services engineering contract for bridge repair, structural design and construction inspection services to address necessary repairs to the SR-401 flyover bridge serving the west-side cruise terminals in an amount not to exceed \$173,823. (Crowe)
- (14) Consideration of authorizing staff to issue a competitive solicitation for the improvements to the Port-wide wayfinding and signage system. (Crowe)
- (15) Consideration of approving a purchase order to Construction Engineering Group (CEG) under their continuing services contract for design of minor improvements to the existing stormwater system (swale) at Jetty Park in an amount not to exceed \$19,800. (Musser/Crowe)
- (16) Consideration of approving an extension of The Lloyd and Agnes DeSouza 1993 Revocable Trust u/a/d 12-3-93 Thirty Year lease dated May 1, 1985, expiring April 30, 2015, as amended located at 750 Mullet Road. An Extension document containing recommended terms, reviewed and approved by General Counsel and Port Attorney. (Denig/Shepard)
- (17) Consideration of approving entering into a three (3) year office space Lease Agreement with Cartainer Ocean Line, Inc. at 405 Atlantis Road. The Lease Agreement has been reviewed and approved by General Counsel and Port Attorney. (Denig/Shepard)
- (18) Consideration of an increase to Purchase Order P18378 to BEA Architects, Inc under their continuing services contract for detailed design and permitting services for roadways servicing Cruise Terminal 10 following the renovation program in an amount not to exceed \$157,200. (Narváez-Lugo/Crowe)
- (19) Consideration of authorizing staff to exercise option to the 888 Taxi contract for one (1) year commencing September 1, 2016, ending September 1, 2017. (Blanchard)
- (20)
  - a. Consideration of approving Resolution RES-2016-02-EXE-3 contained herein. This Resolution authorizes the issuance of an amount not to exceed \$25,000,000 principal amount of Canaveral Port Authority Port Improvement Revenue Bond Series 2016A in order to finance and/or reimburse certain capital improvements and to repay certain draws made under its Revolving Credit Agreement. This Resolution provides certain terms and details of such Bond and authorizes a negotiated sale for said Series 2016A Bond to TD Bank, N.A. at the terms and conditions outlined in the attached credit accommodation updated at the time of closing. This Resolution also provides for the approval of certain amendments to the aforementioned bond resolution and provides and effective date of those changes. (Rees)
  - b. Consideration of approving Resolution RES-2016-03-EXE-3 contained herein. This Resolution authorizes the issuance of an amount not to exceed \$45,000,000 principal amount of Canaveral Port Authority Port Improvement Revenue Bond Series 2016B in order to finance and/or reimburse certain capital improvements and to repay certain draws made under its Revolving Credit Agreement. This Resolution provides certain terms and details of such Bond and authorizes a negotiated sale for said Series 2016B Bond to STI Institutional and Government Inc. at the terms and conditions outlined in the attached credit accommodation updated at the time of closing. This Resolution also provides for the approval of certain amendments to the aforementioned bond resolution and provides and effective date of those changes. (Rees)
  - c. A copy of the resolution with changes black lined is included in this item. (Rees)
- (21) Consideration of approving an increase to the purchase order to Bermello Ajamil & Partners (B&A) Incorporated in the amount of \$665,000 to complete the remaining 9 tasks of the Master Planning process. (Dubea)
- (22) Consideration of approving the acceleration of the purchase date for the Flagler Titusville Logistics Center from FDG TICO, LLC as soon as practical. This purchase is contingent on availability of funds anticipated to be received from bank financing.

- (23) Consideration of approval of Joint Termination of Development Agreement between the Canaveral Port Authority and Sooner Investment Group, Inc. (Bistline)
- (24) Consideration of approving staff's recommendation to amend the current tariff to include changes to two tariff categories included in the Canaveral Port Authority Tariff No. 14. The first proposed item would amend Rule 715 – Cargo Wharfage to add wharfage charges for new automobiles and also increase rates for used automobiles less than 10,000 lbs. The second proposed item would be to add Rule 1035 – Security/IT Fee to section 1000 – Miscellaneous Rules and Rates.(Rees)
- (25) Consideration of authorizing staff to issue a Purchase Order to Ivey's Construction under their continuing service contract to demolish the elevated road in front of Cruise Terminal 6 and provide asphalt pavement in this area in an amount not to exceed \$1,278,209.00. (Crowe/Blanchard)
- (26) Consideration of approving an increase to P16226 to Wright Fulford, Moorhead & Brown, PA for legal services for construction related general matters in the amount of \$100,000. (Langley)

F. Public Comments – three minutes per person

G. Commissioner Reports

H. Attorney Client Session – IN RE: AMERICAN WORKBOATS, INC AND AMERICAN CHAMPION for exoneration from or limitation of liability, Case No. 6:14-cv-1304-Orl-18GJK

1. a. Consideration of approval of the Settlement Agreement and Mutual Release between the Canaveral Port Authority and Dutra Dredging Company.

b. Consideration of approval of the Settlement Agreement and Mutual Release between the Canaveral Port Authority and Beyel Brothers, Inc.

I. Adjournment until next scheduled meeting to be held on Wednesday, May 25, 2016.