

**SEMINOLE COUNTY PORT AUTHORITY
MINUTES OF THE REGULAR BOARD MEETING
OCTOBER 20, 2021**

The regular Board Meeting of the Seminole County Port Authority was held in the Board Room of the Administration Building at the Port of Sanford on October 20, 2021.

Chairwoman Dana McBroom called the meeting to order at 4:04 p.m. with the following Directors constituting a quorum: Dana McBroom, Chairwoman; Bill Spivey, Secretary; Michael Caraway, Treasurer; Cliff Miller, Member; Amy Guilfoyle, Member (telephonic); and Andria Herr, BCC Member.

Members Absent: Matthew Criswell, Member; Susan Sherman, Member; and Harry Ellis, Member.

Staff present: Andrew Van Gaale, Administrator; and Jennifer Sykes, Business Office Manager.

Also, present: Dino Lucarelli, Seminole County Public Works; Jason Flick, JMT Engineering; Steven Collins, JMT Engineering; Brady Lessard, CPH Engineering; Darren Walshaw, CPH Engineering; and Nelson Figueroa, President of Millennium Luxury Coaches.

An invocation was given by Cliff Miller followed by the pledge to the Flag.

The Chair welcomed and introduced the guests.

OLD BUSINESS

The Chair welcomed Mr. Figueroa, President of Millennium Luxury Coaches to the floor. Mr. Figueroa thanked the Board for their time and consideration as well as the Administrator for addressing the issues he brought forth previously. He explained that he was not comfortable with providing the requested financial statements. Mr. Figueroa said that he would appreciate the Board's consideration in renewing Millennium's five-year lease under the current terms. The Administrator clarified that the lease discussions included a 5% rate increase now on a flat five-year lease to which Mr. Figueroa agreed. The Administrator also confirmed that a new roof was included in the Port's five-year capital improvement plan as well as some paving in the rear of the site. The Chair postponed the vote to be included with the rest of the lease renewals later in the meeting.

The Chair opened the floor for corrections or additions to the minutes of the September 15, 2021, meeting.

MOTION WAS MADE BY BILL SPIVEY, SECONDED BY MICHAEL CARAWAY TO APPROVE THE MINUTES OF THE SEPTEMBER 15, 2021, BOARD MEETING, AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

The Administrator presented the Balance Sheet and Budget Statement for the month of September 2021 noting for the Board that the numbers also represent the end of the 2020/2021 fiscal year. The Administrator reported that revenues for September were over budget by \$19,055 and \$291,033 for the year-to-date. Expenditures for September were over budget by \$86,396 but remain underbudget by \$641,774 for the year-to-date. The Administrator reported that the year-to-date profit margin was approximately 40% and the occupancy for September dropped slightly to 99.6%. Dana McBroom noted for the record that the expenses are low because of projects not getting completed and paid for by the end of the fiscal year, not because of excessive profit. The Administrator explained that Rob Kimmelman of Green, Dycus & Co., P.A., would be at the November meeting with the audited financial reports. There were no other questions or comments on the September 2021 financial statements.

The Administrator presented the Outstanding Bills list for October 20th and November 1st. He explained that item #12, the \$17,485.00 payment to Public Risk Management, represents the quarterly insurance premium. Item #15, the \$9,016.00 payment to DH Pace, represents garage door repairs and replacements at three units. Item #21, the \$2,092.98 payment to Yahn Electric Co., represents electric repairs at three locations. Item #25, the \$2,335.00 payment to Syntech Group Corp., represents drywall repairs and painting at two locations. Item #26, the \$8,395.00 payment to Stage Door II, Inc., represents the retainage payment on the additional drainage contract. Finally, the Administrator presented the standard first of the month bills for November. There were no other questions about the bills to be paid.

MOTION WAS MADE BY CLIFF MILLER, SECONDED BY MICHAEL CARAWAY TO APPROVE THE OCTOBER 20TH AND NOVEMBER 1ST BILLS AS PRESENTED. THE LIST OF BILLS APPROVED TO BE PAID IS ATTACHED AND MADE A PART OF THESE MINUTES.

MOTION CARRIED UNANIMOUSLY.

The Administrator presented the Aged Receivables List to the Board for review with no outstanding receivables for the second month in a row.

NEW BUSINESS

Orange Boulevard Improvement Project - The Chair invited Mr. Lucarelli, Chief Design Engineer for the Seminole County Public Works Orange Boulevard project to update the Board. Mr. Lucarelli stated that the construction plans are 100% complete and it is

anticipated that the right-of-way acquisition will be completed by the end of 2021. He explained that they were working on modifications to the utilities up and down the corridor. Therefore, a minor plans update is anticipated early next year, the project will then go to bid with construction estimated to begin in August 2022. Mr. Lucarelli introduced the engineers from JMT and invited questions. Mr. Miller requested to see the traffic pattern and Jason Flick presented the plans for the typical road section. Mr. Flick explained that the project allows enough room, therefore, the plan is to shift traffic but maintain two lanes during construction. The Administrator asked for confirmation that there would be a center turn lane without a median along the front of the Port for the commercial traffic. Mr. Flick confirmed that was the plan. Cliff Miller asked what changes were being made to the line of sight at Kastner Place currently obstructed by the curve in the road to the east of the Port. He stated that the traffic coming around the blind curve is dangerous to those exiting the Port. Mr. Flick explained that the curve in the roadway was staying mostly the same due to the constraints caused by the Interstate 4 overpass. He did point out that the current site used for the La Mesa employee parking is becoming a retention pond which would hopefully remove obstacles and increase visibility. He also stated that all required site distances have been maintained in the plans, however, those are based on the posted thirty-five mile an hour speed limit. Mr. Miller stated that it's really a visibility issue and requested no landscaping be planted along there that will increase the visibility problem. Mr. Flick assured the Board that concern will be considered when finalizing the landscaping plan.

Commissioner Herr asked the engineers to give an overall explanation of the project. Therefore, Mr. Lucarelli explained that project is classified as safety improvements to the roadway, including introducing a median to separate the traffic and turn lanes into the Port. The Administrator asked about the inclusion of stormwater improvements. Mr. Flick confirmed that the existing open ditch system was going to be enclosed, sidewalks are being added to the north side and a ten-foot bike path on the south side. He stated that with the pedestrian enhancements, they would take another look at the curve Mr. Miller pointed out to ensure that it is safe. The Administrator requested that the landscaping plan for the pond they referenced earlier, be fenced with black vinyl chain-link with a top rail or ornamental iron. He noted the pond will be at the entrance to the Port, therefore, for aesthetics and continuity, it should at a minimum match the rest of the Port fencing. Commissioner Herr noted the County's fencing policy and asked what could realistically be expected. Mr. Lucarelli stated that it would be chain link, but he did not think the black vinyl coated would be a problem stating it could be specified or called out on the plans. Cliff Miller requested confirmation that there would be good turn lanes in either direction. Mr. Flick confirmed that yes, the plans were drawn utilizing an auto-turn program for a large truck. Chairwoman McBroom asked if that would work for the large motor coaches as well and the engineers confirmed it would.

The Administrator inquired about the maintenance plan for the pond and medians explaining that currently the Port pays for trash pick up along the front of the Port all the

way to under the interstate. He also noted that the grass in the median and along Orange Boulevard to the east of the Port is rarely mowed. He explained that with FDOT, Seminole County, Sunrail, CSX, etc. there does not seem to be any one agency with any maintenance plan for the area. Mr. Lucarelli explained that under the interstate is classified as limited access roadway and would be the maintenance of the State. Mr. Flick confirmed that there would no longer be a grass median underneath the interstate which should minimize some of the current maintenance concerns. Commissioner Herr asked the engineers to walk the Board through the whole picture of the project. Jason Flick explained that Orange Boulevard would end up consisting of three lanes where it ties in with the Ultimate I4 project flyover. He clarified that from the flyover east is part of the Ultimate I4 project and he believed it did include a median. Mr. Flick continued explaining that from the I4 flyover west to Oregon Street, Orange Boulevard will be three lanes with a five-foot bike lane in each direction, curb and gutter, a five-foot concrete sidewalk on the north side, and a ten-foot asphalt trail on the south side. West of Oregon Street to Highway 46, Orange Boulevard will include a fifteen-foot median with an eleven-foot drive lane and five-foot bike lane on either side. He confirmed the existing ditches will all be piped, and the improved landscaping will be County maintained. Mr. Flick explained that the only detours expected during construction will be while they replace a box culvert at Delaware Street. The traffic maintenance plan has not yet been finalized because a lot of utilities need to be moved from the south side of Orange Boulevard to the north side. He noted that once all the FPL poles, the water lines and other utilities like AT&T have been moved to the north side, then traffic can be shifted, and construction can begin.

The Administrator inquired about the plan for the three culverts crossing Orange Boulevard at the Kastner Place intersection noting that they are in poor condition and very close to the edge of roadway. Steven Collins explained that the culverts are staying, but the headwall on the north side will be replaced. He further explained that the flood plain limit is right at that point and if they extended the pipes then flood plain compensation would have to be provided which is not something being done on this project. The Administrator noted that the Port takes that water from off site into its drainage system, and it was expressed early in the Orange Boulevard project that assistance was needed with stormwater. Jason Flick acknowledged the previous discussion and stated that no additional water was being added to the existing system. Dino Lucarelli confirmed that Seminole County was doing the Lake Monroe Basin Study. Mr. Flick noted that once the study is done, maybe improvements to that area could be performed. Mr. Flick stated that the nuisance drainage area on the southeast boundary of the Port, that the Administrator expressed concerns about at the initial meeting, is going to be reworked and shifted so that the water goes into a ditched system with positive outfall to the north. Steven Collins pointed out that an inlet on Orange Boulevard that was feeding into the nuisance drainage area has been removed from the plans.

The Administrator asked how long construction would take. Mr. Flick responded that due to the need to relocate utilities, the estimated construction time is over 800 days so approximately two to three years. He explained that FPL cannot relocate utilities until all the right-of-way has been acquired, but they were looking at advanced power relocation which would shorten the timeline. Bill Spivey asked if the funding source for the project is the penny sales tax and Dino Lucarelli responded affirmatively. Lastly, the engineers confirmed that, once completed, Orange Boulevard would be lit. There were no other questions on the Orange Boulevard Improvement Project. Chairwoman McBroom asked the engineers to leave copies of the plans for the Administrator to review and follow up with any other questions.

1500 Dolgner Place Redevelopment – The Chair welcomed Brady Lessard from CPH to update the Board on the status of the 1500 Dolgner Place redevelopment project. Mr. Lessard presented plans and updated the Board that the goal was to get this permitted in 2021. He further explained that they are strategically planning to go out to bid just before or right after the holiday season to maximize responses. He also stated that they were starting to see some stabilization in the concrete pipe market which would be beneficial as there is quite a bit included in the project. Daren Walshaw explained that the approach to the design process was to optimize square footage with potential usage. The current plan includes a 12,000, a 6,600, and a 6,000 square foot building for a total of 24,600 square feet of rentable space. The buildings will be separate stand-alone buildings with their own connections. Mr. Lessard explained that the back of the site includes a compensating storage area that was not initially included as they attempted to maximize the buildable area. However, the Flood Plain Manager is sensitive to the flooding issues in the area surrounding the Port and is requiring the pond. Therefore, the current plan addresses the County's concerns while providing a good product for the Port. He further explained that the Port's existing overall stormwater system plans did account for flood plain compensation for future development, however, the old 1500 Dolgner Place building was specifically taken out of that plan. Mr. Walshaw reminded the Board that after Irma the building was completely flood, therefore, the site needed to be raised and this new plan will protect against any future flooding in that area. He pointed out that the front permeable areas along the roadway will be dry and the pond in the rear will be wet. It was noted that a portion of the existing ditch will be filled in, and a ditch block will be installed that was part of the original drainage plan but never implemented. Therefore, the Port has been taking on water that was originally intended to be diverted to a different area. With this site plan, that water will be properly diverted into an adjacent stormwater system providing a small amount of relief to the Port system. Brady Lessard explained that the site plan allows some flexibility to the building sizes and aesthetics which can be finalized prior to building permits. Bill Spivey inquired about the Port signage noting that it might be beneficial to indicate a sign pad on the site plan. Darren Walshaw noted it could be added. The Administrator explained that signage throughout the entire Port needs addressed and is included in the five-year capital improvement plan. Therefore, he would like to look at the Port signage as a whole noting

that not only should the 1500 Dolgner Place site redevelopment be considered, but the Orange Boulevard improvements will remove the existing entry way signs. He requested a task order from CPH, Inc. to address Port signage to include way-finding and standardizing aesthetics. He also requested CPH proceed with the bidding process for the second half of the Dolgner Place paving project. The Administrator asked for direction from the Board on moving forward with the 1500 Dolgner Place site permit.

MOTION WAS MADE BY BILL SPIVEY, SECONDED BY CLIFF MILLER TO AUTHORIZE CPH, INC. TO MOVE FORWARD WITH PERMITTING AND BIDDING OF THE 1500 DOLGNER PLACE REDEVELOPMENT SITE PLAN AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

ADMINISTRATOR'S REPORT

The Administrator reported that at their request, he met with an FDOT representative regarding the Ultimate I4 expansion. FDOT is looking to perform a small taking of about ten feet from the Port along the southeast boundary which includes a portion of the outside storage area currently leased by Acme Industrial. This will require the tenant to move their outdoor product and the Port to move the chain link fencing. The Administrator reported that he has provided all the information to SCOPA Attorney Steve Coover before FDOT makes an offer. He pointed out a couple of concerns to the Board, the first being the ditch discussed previously with the Orange Boulevard project. He explained that he would still like to see that stormwater ditch piped and the area properly maintained as it will become FDOT property. Secondly, he expressed concerns about setbacks pointing out that if the I4 off ramp is moved closer to Port property what kind of setbacks will be required to maintain the safety of customers or employees within the Acme Industrial outside storage yard. Not only is it a safety concern, but the Port could be losing more usable property than just the FDOT taking. Dana McBroom asked if the Administrator could find out what the County is paying for the land being acquired along Orange Boulevard for reference in FDOT negotiations. The Administrator stated he would include that in his meeting regarding the right-of-way acquisition next week. He explained that the County will be taking some of the property along the entrance to the Port which will result in the loss of the entrance way improvements. Commissioner Herr asked the Administrator to get an appraisal for comparison and the Administrator agreed. Chairwoman McBroom recommended that to prevent any conflict of interest, the Port not represent the tenant in any negotiations with FDOT. Commissioner Herr expressed that she was comfortable with asking as much as possible for the property FDOT is taking. There was no further discussion on the matter.

LEASES

The Administrator explained that he discussed with Nelson Figueroa, the President of Millennium Luxury Coaches, a lease addendum extending the lease for a flat five years with a five percent rate increase at the onset. The expiring lease was a five-year lease at a flat rate; therefore, his last rate increase was five years ago. Dana McBroom asked for details on the improvements Mr. Figueroa is expecting. The Administrator explained that he was requesting an overlay of a rear parking area estimated at \$60,000 and a \$300,000 new roof is already budgeted two years out in the Port's capital improvement plan. He stated that the Millennium Luxury Coaches lease is triple net which means they are responsible for the taxes, insurance, and maintenance, however, the items he's requesting are capital improvements not necessarily maintenance. Commissioner Herr noted that due to the previous flat five-year lease, even if the Board approves a five percent increase now, the starting value is already deflated. Cliff Miller explained that historically when the SCOPA Board waives a rate increase, they have always proceeded from there and not retroactively applied the increase later. The Administrator noted that while Millennium does have a good deal on their Port lease, they do cover the property taxes which run \$40,000 annually as well as the insurance costs on the building. Furthermore, they are good tenants who maintain the property well and employ sixty people. He recommended the lease addendum as discussed. Chairwoman McBroom requested that prior to the next lease renewal the Board look at the fair market value verses the costs and evaluate if would be better to change the lease structure in the future. Commissioner Herr recommended revisiting prior to SCOPA's insurance renewal. Potentially the Port could insure the building and split the difference between what SCOPA pays and what the tenant is paying with them in determining the new annual rate. The Chair agreed that the lease could be adopted today as discussed and the terms amended at that time.

MOTION WAS MADE BY CLIFF MILLER, SECONDED BY BILL SPIVEY TO APPROVE THE LEASE ADDENDUM FOR MILLENNIUM LUXURY COACHES FOR FIVE-YEARS WITH A FIVE PERCENT INCREASE AT THE ONSET.

MOTION CARRIED UNANIMOUSLY.

The Administrator presented the following Leases Agreements approval:

1. New Lease – Brand O Guitar Company; 1924 Dolgner Place; 1-year Lease; lease term Nov. 1, 2021 – Oct. 31, 2022; at the rate of \$850.00/mo. (1,500 sq.ft. warehouse @ a rate of \$6.80/sq.ft./yr.) Personal guarantee.

2. Lease Renewal – Brand O Guitar Company; 1920 Dolgner Place; 1-year Lease Addendum; lease term Nov. 1, 2021 – Oct. 31, 2022; with the budgeted 5% rate increase to \$1,823.62/mo. (3,000 sq.ft. warehouse @ a rate of \$7.29/sq.ft./yr.) Personal guarantee.
3. Lease Renewal – Amerigas Propane, L.P.; 4350 Carraway Place; 1-year Addendum; term Nov. 1, 2021 – Oct. 31, 2022; with a 5% rate increase to \$155.59/month (0.127-acre MOL @ a rate of \$14,701.42/acre/yr.). Publicly traded.
4. Lease Renewal – Dragon Recovery, LLC; 1904 Dolgner Place; 1-year Lease Addendum; lease term Nov. 1, 2021 – Oct. 31, 2022; at the rate of \$882.00/month (1,500 sq.ft. warehouse @ a rate of \$7.06/sq.ft./yr.) Personal guarantee.
5. Lease Renewal – Sanford Boat Storage, Inc.; 1490 Kastner Place, Suite 1000; 1-year Lease Addendum; lease term Nov. 1, 2021 – Oct. 31, 2022; with the budgeted 5% rate increase to \$9,492.52/month (32,700 sq.ft. warehouse @ a rate of \$3.48/sq.ft./yr.) Personal guarantee.

MOTION WAS MADE BY CLIFF MILLER, SECONDED BY MICHAEL CARAWAY TO APPROVE THE LIST OF LEASES AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

There being no further business, the meeting was adjourned at 5:12 p.m. by the Chair.

Dana McBroom, Chairwoman

Bill Spivey, Secretary