

**SEMINOLE COUNTY PORT AUTHORITY  
MINUTES OF THE REGULAR BOARD MEETING  
DECEMBER 14, 2022**

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 December 14, 2022.

Vice-Chair Susan Sherman called the meeting to order at 4:01 p.m. with the following Directors constituting a quorum: Susan Sherman, Vice-Chair; Michael Caraway, Treasurer; Bill Spivey, Secretary; Dana McBroom, Member; Cliff Miller, Member; Amy Guilfoyle, Member; and Andria Herr, BCC Member.

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

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

Also, present: Steve Coover, SCOPA Attorney; Jeff Larson, FL SAFE; and Jessica Davis, Marinas, LLC.

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

Vice-Chair Susan Sherman welcomed the guests and opened the floor for corrections or additions to the minutes of the November 16, 2022, meeting. There were no amendments presented.

**MOTION WAS MADE BY COMMISSIONER HERR, SECONDED BY DANA MCBROOM, TO APPROVE THE MINUTES OF THE NOVEMBER 16, 2022, BOARD MEETING, AS PRESENTED.**

**MOTION CARRIED UNANIMOUSLY.**

The Administrator presented the Balance Sheet and Budget Statement for the month of November 2022. The Administrator reported that revenues for the month of November were over budget by \$24,670 and overbudget in the amount of \$49,659 for the year-to-date. Expenditures for the month of November were underbudget by \$144,873 and under budget by \$288,685 for the year-to-date. The Administrator reported that the occupancy for November remained at 100%. There were no questions or comments on the November 2022 financial statements.

The Administrator presented the Outstanding Bills list for December 14<sup>th</sup> and January 1<sup>st</sup>. He explained item #6, the \$645.64 payment to SureFlyt Aerial Photography, represents payment for photographing the flood waters after Hurricane Ian. Item #9, the \$1,353.44 payment to Florida Power and Light, along with item #10, the \$1,920.34 payment to Seminole County Water and Sewer, represent the monthly cost of utility services. Item

#15, the \$11,100.00 payment to Exact Plumbing, represents the remainder of the repairs made to sewer main that services Millennium Luxury Coaches. Item #18, the \$1,823.00 payment to Andrew VanGaale, represents a budgeted tuition reimbursement. The Administrator then pointed out the standard first of the month payments. Cliff Miller asked how much over budget was the sewer line repair. The Administrator explained that it was not a scheduled repair, but a failure most likely the resulting from all the construction in that area over the last few years. He explained that the payment last month was for replacing the first eighty feet. When videoing the line, they found additional breaks one hundred feet south and had to open cut the road to make the repairs. The line is now fully connected and repaired from Millennium all the way to the manhole and the costs were as expected. There were no other questions regarding the bills to be paid.

**MOTION WAS MADE BY DANA MCBROOM, SECONDED BY COMMISSIONER HERR, TO APPROVE THE DECEMBER 14<sup>TH</sup> AND JANUARY 1<sup>ST</sup> 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 six tenants in the 0–30-day category. He explained that Driftwood Arts had brought in a check just before the meeting and that Maintenance Management Group pays on the fifteenth. He continued explaining staff was in communication with and anticipating payments this week from Matthew Bauer and G & C Welding. He pointed out that F4W was catching up and paid October and November rents at the beginning of the month. Seminole Fleet made a small error and will include the outstanding thirty-eight cents next month. There were no questions on the aged receivables.

#### **ATTORNEY'S REPORT**

Mr. Coover stated he had nothing new to report.

#### **ADMINISTRATOR'S REPORT**

The Administrator informed the board that staff was working on preparing the Request for Proposal for Legal Services. He explained that recent RFPs for other municipalities were being reviewed as a template, but with the Port being a unique entity a lot of what others included is not applicable. He stated that he is working on preparing a framework for Mr. Coover to review that includes a matrix for ranking and important qualifications such as the level of liability insurance required.

The Administrator updated the board on the current capital improvement projects. He explained that the Dolgner Place full-depth reclamation paving project was complete. The

core samples had been taken and in a few weeks the contractor would complete the over sealant and striping. The payment for that contract would be included for approval next month. The 1500 Dolgner Place site development project was out to bid. He explained that several contractor questions were submitted, and they also asked for additional time. Therefore, addendum one to the bid included a one-week extension in the bid deadline. Bill Spivey asked if CPH would be managing the site work. The Administrator confirmed that CPH would be working in that capacity to review density reports, work completion, and contractor pay applications.

## **NEW BUSINESS**

Marinas, LLC, Capital Improvement Plan – Vice-Chair Sherman welcomed Jessica Davis with Marinas, LLC, to present their capital improvement plans. Jessica referred to the list of work in progress, long-term plans, ongoing maintenance plans, and renderings provided. She explained that Marinas, LLC, just entered into an agreement with new restaurant operators who will be remodeling the restaurant and pool area. She explained that Marinas is contributing \$55,000 toward infrastructure repairs and replacement at the restaurant. The Administrator asked about the new lease structure and Mrs. Davis explained that the existing five-year lease was assigned to the new operators with seven, five-year renewal options. The Administrator asked about the planned restaurant renovations. Mrs. Davis confirmed that the business' footprint was not being expanded only renovated, that the renovations were not the result of hurricane damage, and that all necessary permits were being pulled. Susan Sherman asked if the restaurant hours were changing. Mrs. Davis confirmed that the new restaurant hours would be noon to midnight with the pool area open from 8:00 a.m. to noon for Marina tenants. The Administrator asked for a copy of the construction plans for the renovation. The Administrator inquired about the planned re-roofing of UC building. Mrs. Davis explained that UC represents the upland covered storage that sustained damage during the recent hurricane. Mrs. Davis also confirmed that all of docks A and B were replaced first because they do not require power or water utilities. Commissioner Herr pointed out that the short-term plans included very few items outside of the completed Wi-Fi antennas and the gate and roof in process. She pointed out that the long-term plans had no dates or deadlines associated with them. Mrs. Davis reviewed the list explaining which items were already bid, which items were waiting on an insurance adjustor review, and which items still needed to go out to bid. She explained that the schedule would be better refined once all the costs were known. No other questions about the Marinas Capital Improvement Plan were presented and the board thanked Mrs. Davis. Commissioner Herr expressed concerns that the timeline of Marinas' plans were vague and asked the Administrator to stay in communication with the operator.

Investment Policy – The Administrator updated the board that, as requested, the Investment Committee met, reviewed the proposed investment policy in detail, addressed the administrative controls of managing the investments, and the board

member comments that had been received. Bill Spivey introduced Jeff Larson, the Administrator of FL SAFE, and presented the revised investment policy. He asked staff about the Seacoast money market account. Jennifer Sykes explained that the funds are currently held in what Seacoast Bank calls a Money Market account, which is an in-house branch and gaining 0.15% interest. She confirmed that Seacoast is a Qualified Public Depository, and the funds were FDIC insured. Bill Spivey reiterated what the Administrator said regarding the committee efforts to strengthen the internal controls and pointed out that the Investment Policy only allows for funds to be held in banks, money market accounts, or local government investment pools (LGIPs). Susan Sherman asked how much the board was intending to invest. Mr. Spivey responded that the board voted to invest \$1 million into FL SAFE and \$1 million FL Prime. SCOPA Attorney Steve Coover asked if the policy clarified the authority given to the Administrator to manage the funds. The Administrator responded affirmatively, explaining that he has the authorization to move the funds out of the LGIP into the bank with the obligation to inform the Treasurer within twenty-four hours. Mr. Larson explained how FL SAFE operates, his role as an Administrator, and that the board meets publicly. He explained that if something happens in the market, the advisor will take the necessary action to protect the Trust. Dana McBroom pointed out that LGIPs were investment funds with no guarantees also pointing out that FDIC only protects the funds in the bank up to \$250,000. Commissioner Herr directed the attention to section 4 on page 2 that outlines the Delegation of Authority. Discussion ensued.

**MOTION WAS MADE BY BILL SPIVEY, SECONDED BY CLIFF MILLER, TO APPROVE THE INVESTMENT POLICY WITH SECTION 4 AMENDED TO REMOVE “INITIAL INVESTMENT” AND REPLACED WITH “PER SECTION 7- INTERNAL CONTROLS OF THIS POLICY”.**

**MOTION CARRIED UNANIMOUSLY.**

**MOTION WAS MADE BY BILL SPIVEY, SECONDED BY MICHAEL CARAWAY, IN AN ABUNDANCE OF CAUTION TO REITERATE THE ACTION TAKEN ON OCTOBER 19, 2022, TO INVEST \$1,000,000 INTO THE FLORIDA SURPLUS FUND TRUST AND \$1,000,000 INTO FLORIDA PRIME.**

**MOTION CARRIED UNANIMOUSLY.**

CPH, INC., Work Order: 1500 Dolgner Place Architectural and Engineering – The Administrator presented the revised task order for the building design for the soon to be redeveloped 1500 Dolgner Place site. He expressed concerns that the price had increased, and construction costs were continuing to rise. He explained that he would like to have the plans completed and bid prior to the end of the site work. Commissioner Herr asked Mr. Spivey if his previously expressed questions had been addressed and he responded affirmatively.

**MOTION WAS MADE BY COMMISSIONER ANDRIA HERR, SECONDED BY CLIFF MILLER, TO APPROVE THE CPH WORK ORDER PROPOSAL FOR ARCHTECTURAL AND ENGINEERING SERVICES FOR THE 1500 DOLGNER PLACE REDEVELOPMENT.**

**MOTION CARRIED UNANIMOUSLY.**

FDOT Purchase Agreement and Resolution – The Administrator directed the board’s attention to the Purchase Agreement and Resolution for the FDOT purchase of Port property for the Ultimate Interstate 4 project. Commissioner Herr asked if the Agreement accurately reflected the board’s October motion to accept the FDOT offer. The Administrator confirmed that it does.

**MOTION MADE BY COMMISSIONER ANDRIA HERR, SECONDED BY BILL SPIVEY, TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE PURCHASE AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$83,078.00.**

**MOTION CARRIED UNANIMOUSLY.**

The Administrator explained that in conjunction with the Purchase Agreement, a Resolution is required to dispose of the Port property through the sale to the Florida Department of Transportation. He presented the prepared standard FDOT resolution.

**MOTION WAS MADE BY COMMISSIONER ANDRIA HERR, SECONDED BY BILL SPIVEY, TO GRANT THE CHAIRMAN THE AUTHORITY TO EXECUTE THE RESOLUTION FOR THE SALE OF PORT PROPERTY TO FLORIDA DEPARTMENT OF TRANSPORTATION.**

**MOTION CARRIED UNANIMOUSLY.**

Leases – The Administrator presented the following leases for approval:

1. Lease Renewal – Divine Designs, LLC; 1980 Dolgner Place, Suite 1020; 1-year Lease Addendum; term Jan. 1, 2023 – Dec. 31, 2023; with the budgeted 5% rate increase to \$945.00/month (1500 sq.ft. warehouse @ a rate of \$7.56/sq.ft./yr.) Personal guarantee.
2. Lease Renewal – J. L. Pandolfi Painting Contracting, Inc.; 1900 Dolgner Place; 1-year Lease Addendum; term Jan. 1, 2023 – Dec. 31, 2023; at the budgeted rate of \$1,012.92/month (1,212 sq.ft. warehouse w/ 288 sq. ft. office @ a blended rate of \$8.10/mo.) Personal guarantee.
3. Lease Renewal – Rust-Off, Inc.; 1471 Kastner Place, Suite 101; 1-year Lease Addendum; term Jan. 1, 2023 – Dec. 31, 2023; with the budgeted 5% rate increase to \$1,116.75/mo. (2,000 sq. ft. warehouse w/ office @ a blended rate of \$6.70/sq.ft./yr.) Personal guarantees.

There were no questions on the leases as presented.

**MOTION WAS MADE BY DANA MCBROOM, SECONDED BY COMMISSIONER HERR, TO APPROVE THE LIST OF LEASES AS PRESENTED.**

**MOTION CARRIED UNANIMOUSLY.**

There being no further business, the meeting was adjourned at 5:15 p.m. by Vice-Chair Sherman.

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Matthew Criswell, Chairman

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Bill Spivey, Secretary