A meeting of the Manatee County Port Authority will be held during a meeting of the Board of County Commissioners of Manatee County Tuesday, February 23, 2016 at 11 a.m. or as soon thereafter as is practicable in Commission Chambers on the first floor of the County Administration Building, 1112 Manatee Avenue West, Bradenton, Florida.

PORT Manatee
The *right* turn on Tampa Bay

MANATEE COUNTY PORT AUTHORITY AGENDA
February 23, 2016

The Manatee County Port Authority may take action on any matter during this meeting, including those items set forth within this agenda. The chairperson, at the option of the chairperson, may take business out of order if the chairperson determines that such a change in the agenda's schedule will expedite the business of the Port Authority.

CALL TO ORDER
Public Comments

1. **Consent Agenda**

2. **Port Manatee Mobile Harbor Container Crane #2 Agreement Third Amendment**

Executive Director Comments
Public Comments
Commissioner Comments

According to Section 286.0105, Florida Statutes, any person desiring to appeal any decision made by the Port Authority with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Betsy Benac, Chairman
John Chappie, 1st Vice-Chairman; Charles Smith, 2nd Vice-Chairman;
Robin DiSabatino, 3rd Vice-Chairman; Vanessa Baugh, Member;
Larry Bustle, Member; Carol Whitmore, Member

February 23, 2016

1. CONSENT AGENDA

A. **Warrant List**

B. **Minutes for Approval: January 21, 2016**

C. **Budget Resolution**

D. **Changes to Port Manatee Tariff No. 3**

E. **2016 Port Manatee Legislative and Advocacy Priorities—Revised #2**

F. **Lease Amendment #3-Alpico International**

Manatee County Port Authority

Warrant Listing

January 14, 2016 - February 10, 2016

1/26/2016	V019302	ABBOTT, PAUL SCOTT	768.75
1/26/2016	V001189	ADVANCED BATTERY SERVICES	153.15
1/19/2016	V016081	AECOM TECHNICAL SERVICES INC	44,798.46
1/26/2016	V009644	ALLIED CRAWFORD LAKELAND INC	455.20
1/19/2016	V109817	AMERICAN ASSOCIATION OF, THE	1,350.00
1/26/2016	V109681	AMERICAN ROLL UP DOOR CO	305.00
1/28/2016	P000270	APPICE, MATTHEW	515.74
1/26/2016	V118009	AT AND T	67.81
2/9/2016	V118009	AT AND T	57.00
1/26/2016	V013140	AT AND T MOBILITY	46.57
1/19/2016	V019816	BACKGROUND ANSWERS INC	45.95
1/14/2016	V019189	BANK OF AMERICA	2,756.92
2/4/2016	V002730	BANK OF AMERICA	94.59
1/26/2016	V164699	BOLT AND NUT INC	167.44
2/9/2016	V164699	BOLT AND NUT INC	186.22
1/26/2016	V000118	BRADENTON LAWN AND FUN INC	99.95
1/19/2016	V007624	BRIGHT HOUSE	63.95
1/26/2016	V007624	BRIGHT HOUSE	864.97
2/2/2016	V007624	BRIGHT HOUSE	88.95
1/26/2016	P000278	BUQUERAS, CARLOS	1,324.74
1/21/2016	V018317	BUSH ROSS PA	335.00
1/26/2016	V020886	CALDWELL CLEANING LLC	90.00
1/19/2016	V005435	COMPUTER ADVANTAGE INC	79.99
2/2/2016	V239414	CONSOLIDATED ELECTRICAL DISTRI	179.84
1/21/2016	V275055	DEPT OF ENVIRONMENTAL PROTECTI	5,000.00
2/5/2016	V334600	DIVISION OF RETIREMENT, FLORID	110.94
1/26/2016	P000265	EDWARDS, MALCOLM R	152.00
1/26/2016	V013107	ELECTRICAL WHOLESALERS OF FLOR	448.30
1/28/2016	V021153	ENTECH UNITED LLC	1,276.07
1/19/2016	V323190	FASTENAL COMPANY	341.96
2/2/2016	V332121	FLAGMAN, THE	219.00
2/2/2016	V019264	FLORIDA DOOR CONTROL	237.50
1/28/2016	V334298	FLORIDA MUNICIPAL INSURANCE TR	1,109.86
1/28/2016	V019619	FLORIDA POWER AND LIGHT COMPAN	1,765.75
1/28/2016	V019619	FLORIDA POWER AND LIGHT COMPAN	4,486.19
1/28/2016	V019619	FLORIDA POWER AND LIGHT COMPAN	48,183.96
2/2/2016	V019619	FLORIDA POWER AND LIGHT COMPAN	8,336.46
1/28/2016	V017734	FORTUNE MAGAZINE	30.00
1/28/2016	L007982	FRONTIER LIGHTING INC	561.00
2/9/2016	V013436	GALLAGHER RISK MANAGEMENT SVCS	30,897.00
1/26/2016	V385628	GRAINGER INC, W W	250.32
2/2/2016	V385628	GRAINGER INC, W W	266.56
1/28/2016	L387610	GRAVELY OF BRADENTON	150.66

Manatee County Port Authority			
Warrant Listing			
January 14, 2016 - February 10, 2016			
2/9/2016	V388816	GRAYBAR ELECTRIC CO INC	413.05
2/5/2016	V397768	GULF PORTS ASSOCIATION	400.00
1/19/2016	V011880	HAJOCA CORPORATION	106.40
1/26/2016	V020386	HANCOCK BANK	37,360.58
2/2/2016	V013868	HARDEN SUPPLY LLC	414.44
1/19/2016	V457001	HOME DEPOT COMMERCIAL ACCOUNT,	165.66
1/26/2016	V457001	HOME DEPOT COMMERCIAL ACCOUNT,	209.34
2/2/2016	V457001	HOME DEPOT COMMERCIAL ACCOUNT,	220.06
2/9/2016	V457001	HOME DEPOT COMMERCIAL ACCOUNT,	248.96
2/2/2016	V459527	HORNE AND WILLIS INC	3,180.00
1/19/2016	V896015	INTERISK CORPORATION	75.00
1/26/2016	V006963	JACKSON HARDWARE INC	9.99
1/26/2016	V487429	JEFFERIES SERVICE CENTER	72.00
1/19/2016	V000060	JH WILLIAMS OIL CO INC	3,784.40
2/2/2016	V000060	JH WILLIAMS OIL CO INC	1,418.78
1/26/2016	V015114	JOHNSTONE SUPPLY	70.40
2/2/2016	V015114	JOHNSTONE SUPPLY	408.00
1/26/2016	V507891	KEETONS OFFICE SUPPLY CO INC	165.58
2/9/2016	V507891	KEETONS OFFICE SUPPLY CO INC	272.35
1/28/2016	V000423	LEWIS LONGMAN AND WALKER PA	13,492.44
1/19/2016	V004489	LOWES HOME CENTER INC	454.10
1/26/2016	V004489	LOWES HOME CENTER INC	60.08
1/21/2016	L625403	MAINTENANCE TOO PAPER CO INC	10.11
1/21/2016	V627027	MANATEE CHAMBER OF COMMERCE	50.00
1/28/2016	V627027	MANATEE CHAMBER OF COMMERCE	84.00
1/19/2016	V004140	MANATEE COUNTY PUBLIC WORKS DE	647.94
2/2/2016	V004140	MANATEE COUNTY PUBLIC WORKS DE	5,871.83
2/9/2016	V021692	MANATEE RIVERSIDE ROTARY CLUB	87.00
2/9/2016	V648651	METTLER TOLEDO INC	20.47
1/19/2016	V017759	MOWERS INC	356.96
1/26/2016	V681645	NATIONAL RAILWAY EQUIPMENT	257.99
1/28/2016	V682112	NEAL, SHEILA	467.04
1/19/2016	V696537	NORTHSIDE AUTO PARTS	145.16
1/26/2016	V696537	NORTHSIDE AUTO PARTS	182.80
1/28/2016	V696537	NORTHSIDE AUTO PARTS	42.69
2/9/2016	V696537	NORTHSIDE AUTO PARTS	423.05
1/19/2016	V701905	OFFICE DEPOT INC	231.33
2/9/2016	V701905	OFFICE DEPOT INC	210.36
1/28/2016	V006004	OMEGA OFFICE SYSTEMS	418.70
1/26/2016	V010854	P & T FILTER SALES INC	25.00
2/2/2016	V010854	P & T FILTER SALES INC	256.52
1/21/2016	V020352	PALMETTO ROTARY	231.00
1/19/2016	V736427	PITNEY BOWES CREDIT CORP	141.00

Manatee County Port Authority			
Warrant Listing			
January 14, 2016 - February 10, 2016			
1/19/2016	V741035	PORT SUPPLY	275.96
1/26/2016	V741035	PORT SUPPLY	68.99
1/19/2016	V746898	PRINTWORKS	281.82
1/26/2016	V746898	PRINTWORKS	146.38
1/26/2016	V747112	PRO CHEM INC	179.82
1/26/2016	V018591	PRO MARINE INC	41.88
1/26/2016	V010347	PROPELLER CLUB OF THE U S	180.00
1/14/2016	V747538	PROPELLER CLUB OF THE US	100.00
1/19/2016	V748180	PUBLIX SUPER MARKET	656.45
2/9/2016	V020765	R S AND H INC	12,850.89
2/9/2016	V004990	REXEL MADER	156.90
1/26/2016	P000289	SANFORD, DAVID	55.75
2/9/2016	P000289	SANFORD, DAVID	103.00
2/9/2016	V018040	SHINN AND COMPANY LLC	225.00
1/19/2016	V018469	SONITROL OF TALLAHASSEE	526.35
1/26/2016	V866990	SPOTLIGHT GRAPHICS INC.	141.22
1/20/2016	V874841	STATE OF FLA DEPT OF REVENUE	2,149.35
2/9/2016	V875019	STATE OF FLORIDA	834.63
1/26/2016	V016306	STORMSOURCE SOFTWARE	59.00
1/28/2016	V901518	TAMPA BAY STEEL CORPORATION	835.18
1/28/2016	V906395	TERRY SUPPLY COMPANY	86.64
1/19/2016	V004721	TWENTY FIRST CENTURY GROUP INC	3,500.00
1/19/2016	V006904	UNITED REFRIGERATION INC	231.15
1/26/2016	V006904	UNITED REFRIGERATION INC	194.17
2/2/2016	V006904	UNITED REFRIGERATION INC	428.92
1/21/2016	V003752	VERIZON FLORIDA INC	30.45
1/21/2016	V003752	VERIZON FLORIDA INC	1,287.99
1/26/2016	V003752	VERIZON FLORIDA INC	908.80
2/9/2016	V003752	VERIZON FLORIDA INC	55.41
2/2/2016	V009667	VERIZON WIRELESS	1,013.06
1/19/2016	V008453	WEBTIVITY DESIGNS	65.00
1/26/2016	V019987	WIMAUMA AUTO PARTS INC	397.32
		Total warrants for period reported:	**$ 259,949.76**
		Total cash receipts for period:	**$ 925,915.35**

MANATEE COUNTY PORT AUTHORITY
REGULAR MEETING
PORT MANATEE INTERMODAL CENTER, THIRD FLOOR
1905 Intermodal Circle
Palmetto, Florida
January 21, 2016

Present were:
Betsy Benac, Chairman
John Chappie, First Vice-Chairman
Charles B. Smith, Second Vice-Chairman
Robin DiSabatino, Third Vice Chairman
Vanessa Baugh, absent
Lawrence E. Bustle, Jr.
Carol Whitmore

Also present were:
Carlos Buqueras, Executive Director
Jennifer R. Cowan, Port Authority Attorney
Dan Wolfson, Finance Director, Clerk of Circuit Court
Amanda Cornwell, Board Clerk, Clerk of Circuit Court

Chairman Benac called the meeting to order at 9 A.M.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was delivered by Tim Huppert, Anchor House Chaplin, followed by the Pledge of Allegiance.

PUBLIC COMMMENT

Patti Kuhn commented the history of Piney Point, the Beeline Ferry and submitted a map of a 1913 development originally planned for Piney Point. PA20160121DOC001

There being no further comment, Chairman Benac closed public comment.

AGENDA PA20160121DOC002

1. INTRODUCTIONS

Members of the Audience introduced themselves.

2. PRESENTATION/U.S. 41 UPDATE

Carlos Buqueras, Executive Director, introduced the presentation on the U.S. 41 road project.

Ray Callahan, Florida Department of Transportation (FDOT), utilized a slide presentation to report on the progress of the U.S. 41 construction, stating that the project is approximately 25 percent complete, quality standards are being met, the project is an estimated two and half weeks ahead of schedule, Piney Point entrance configuration in to be in place by February, and Pepper Contracting Services requests to mill and resurface asphalt surfaces ahead of schedule. PA20160121DOC003

Discussion ensued regarding a turn lane, the interchange of I-275 and U.S. 41, questions of interstate signage, FDOT imprints approaching interstate ramps, extra weight bearing concrete extending beyond both Port entrances, importance of U.S. 41 as Port connector

road, questions about future FDOT plans, widening of existent turn lanes increasing capacity and facilitating traffic, location of signaled intersection, light timing, landscaping planned at Port entrance, project approximately five miles long, FDOT confirmed there will be no traffic cameras, FDOT coordination with Air Products to facilitate shipping during construction, and the upcoming Metropolitan Planning Organization meeting to discuss the District 1 Freight study.

J. Larry Sauls, Aecom, stated that Pepper Construction provided aerial photos of the interchange construction, and described the planned lane design and signaled interchange of U.S. 41 and I-275.

Mr. Buqueras commented on the beneficial coordination between FDOT, Aecom, Air Products and Pepper Contracting Services which allows Port tenants to access U.S. 41 for critical shipping needs during construction.

3. PRESENTATION/U.S. ARMY CORP OF ENGINEERS

Dave Sanford, Deputy Executive Director, introduced the presentation and commented on the progress of the study.

Lacy Pfaff, Project Manager, U.S. Army Corps of Engineers, presented a slideshow to summarize the process of creating a report to submit for federal approval, public scoping meeting, evaluating alternatives to reduce navigation transportation costs and restrictions, compliance with National Environmental Policy Act of 1969 (NEPA), preparing environmental impact statement, feasibility study integrated into the environmental study, criteria for analyzing project options, existing conditions of the port, study not pre-decisional, possibility of deepening and widening port channel, dredging material can be reused, environmental considerations, invitation for public comment and feedback, feasibility study process, and providing contact information to invite public feedback. PA20160121DOC004

Discussion ensued regarding uses for dredged materials, the possibility of emulating the Manbirtee Key project, sea grass mitigation, Washington Park issues to be addressed by dredged material, and Board support to accelerate the study process.

Mr. Sanford confirmed that an extension of the existing Manbirtee Key project would require new authorization.

Ms. Pfaff emphasized that options for utilizing dredged material are diverse.

Katherine Edwards questioned what percentage of container ships can utilize the maximum channel depth of 40 feet.

Dan Abecassis, U.S. Army Corps of Engineers, confirmed that the focus of the project is to optimize performance for the greatest possible net benefit to the class of ships which currently utilize the Port.

4. CONSENT AGENDA

A motion was made by Member Chappie, seconded by Member Smith, and carried 6 to 0 with Member Baugh absent, to approve the Consent Agenda incorporating the language as stated in the recommended motions on the cover sheets for the Consent Agenda.
PA20160121DOC005

A. **WARRANT LIST**
Accepted the warrant listing for December 10, 2015 - January 13, 2016.
PA20160121DOC006

B. **MINUTES**
Approved the minutes of December 17, 2015

C. **BUDGET RESOLUTION**
Adopted Budget Resolution PA-16-04 PA20160121DOC007

D. **PORT MANATEE TARIFF No. 3**
Approved a $2 fee for axle reweighs in tariff item 437 of the Port Manatee Tariff No.3
PA20160121DOC008

E. **LEASE**
Executed Port Manatee Lease Amendment 2 with Aplico for decreased office space in the Harris Intermodal Complex. PA20160121DOC009

(End Consent Agenda)

5. LEASE

Carlos Buqueras, Executive Director, introduced the history of the proposed Assignment of Lease from Florida Cement, Inc., to Argos Cement, LLC.

Claudio Manero, Argos, commented on the history of the assignment.

Mr. Buqueras added that the lease will allow the Port to utilize prime facility space.

Motion was made by Member Whitmore, seconded by Member DiSabatino, and carried 6-0, with Member Baugh absent, to execute Consent to Assignment of Agreements with Florida Cement, Inc., to Argos Cement LLC. PA20160121DOC010

6. COMMODITY FLOW FORECAST STUDY

Carlos Buqueras, Executive Director, introduced the Commodity Flow Forecast Study and its relation to the General Reevaluation Report (GRR) which is intended to analyze the benefits and costs of the South Channel Extension project.

Motion was made by Member Chappie, seconded by Member DiSabatino, and carried 6-0 with Member Baugh absent, to authorize the Executive Director to execute the Statement of Work No. 2015-1 in the amount of $57,978 for IHS Global, Inc., to complete the Historical Analysis and Long-term Forecasts for Port Manatee Waterborne Trade, subject to review by legal counsel of the recommended revisions to the general agreement. PA20160121DOC011

EXECUTIVE DIRECTOR'S COMMENTS

Carlos Buqueras utilized a slide presentation to summarize updates on recent Port activity.

- Increase in asphalt shipments
- Re-Opening of Warehouse 2
- Successful tram tour season, upcoming season pre-booked till May
- Upcoming Orlando Area Heavy Equipment Auctions PA20160121DOC012

Discussion ensued regarding SeaForce 9 vessels, cooperation and common committees with the Port of Tampa, and the possibility of fracking control being taken over at the state level.

Mr. Buqueras clarified that the formal relationship with the Port of Tampa is unchanged.

Charlie Hunsicker, Parks and Natural Resources Director, stated that the issue of fracking should be referred to state experts and is unlikely to be an issue for Manatee County.

CITIZEN COMMENTS

Glen Gibellina commented on the warrant listing, suggested that the Port should utilize roof space for solar panels, and submitted a tax bill. PA20160121DOC013

Discussion continued regarding the appropriate outlet for questions relating to taxes and appraised Port values.

Katherine Edwards remarked on plans for landscaping at intersection of U.S.41 and I-275, signage for Port Manatee on I-275, and how global climate change should impact U.S. Army Corps of Engineer study.

Bob Valin, Pepper Contracting, spoke about the contract completion date.

Discussion continued regarding the mutually beneficial cooperation between the Port and tenants, efforts made to mitigate negative impacts during the downturn, signage status at the state level, and staff to provide update.

ADJOURN

There being no further business, Chairman Whitmore adjourned the meeting at 10:25 A.M.

Minutes Approved: _____

February 23, 2016

CONSENT
AGENDA ITEM 1.C.: BUDGET RESOLUTION

BACKGROUND:

The purpose of this budget resolution is to budget a transfer of $200,000 from the Port TIF fund, a contribution of $50,000 from Air Products and the balance of the FEMA grant funding on the Southgate Improvement Project.

ATTACHMENT:

Budget Resolution PA-16-05.

COST AND FUNDING SOURCE:

FEMA grant funding in the amount of $633,450. Transfer of $200,000 from Port TIF and $50,000 contribution.

CONSEQUENCES IF DEFERRED:

Delay in budget allocations

LEGAL COUNSEL REVIEW: N/A

RECOMMENDATION:

Move to adopt Budget Resolution PA-16-05.

RESOLUTION PA-16-05
AMENDING THE ANNUAL BUDGET
FOR MANATEE COUNTY PORT AUTHORITY
FOR FISCAL YEAR 2015-2016

WHEREAS, Florida Statutes 129.06, authorizes the Manatee County Port Authority to amend its budget for the current fiscal year as follows:

a) Appropriations for expenditures in any fund may be decreased and other appropriations in the same fund correspondingly increased, provided the total appropriations of the fund are not changed.

b) Appropriations from reserves may be made to increase the appropriation for any particular expense in the same fund, or to create an appropriation in the fund for any lawful purpose.

c) Unanticipated revenues, including increased receipts for enterprise or propriety funds, may be appropriated for their intended purpose, and may be transferred between funds to properly account for the unanticipated revenue.

NOW, THEREFORE, BE IT RESOLVED by the Manatee County Port Authority that the 2015-2016 budget is hereby amended in accordance with Section 129.06, Florida Statutes as described on the attached summary and specified in the budget adjustment batch files which are listed below:

Item No.	Batch ID No.	Reference No.
1	BADS209A/B	BU16000159

ADOPTED with a quorum present and voting this the 23rd day of February, 2016.

ATTEST: ANGELINA M. COLONNESO
CLERK OF CIRCUIT COURT

MANATEE COUNTY PORT AUTHORITY

_____

By: _____

BUDGET ADMENDMENT RESOLUTION NO. PA-16-05
AGENDA DATE: February 23, 2016

1) Fund: FEMA Grant Funding - $633,450
Port TIF - $200,000
Contribution - $50,000

Section: Southgate Improvements

Description: Budgets a total of $883,450 for the Southgate Improvement project.

Batch ID: BADS209A/B Reference: BU16000159

February 23, 2016

CONSENT
AGENDA ITEM 1.D.: CHANGES TO PORT MANATEE TARIFF NO. 3

BACKGROUND:

The fee for office space rental is based on square footage and does not include utilities. Item 476 is revised to include utilities when renting office space.

In addition, on December 17, 2015, the Port Authority approved tariff item 411 along with several across-the-board increases/changes to the tariff. Due to a scribner's error, the monitoring fee for non-TWIC holders requires a correction.

ATTACHMENT:

Port Manatee Tariff No. 3, Items 411 and 476

COST AND FUNDING SOURCE: N/A

CONSEQUENCES IF DEFERRED:

Monitoring fee incorrect and loss of utilities reimbursement when renting office space

LEGAL COUNSEL REVIEW: N/A

RECOMMENDATION:

Move to approve utility reimbursement for office space rental in tariff item 476 and correction of the monitoring fee in item 411 of the Port Manatee Tariff No. 3.

SECTION FOUR — RATES AND CHARGES

ITEM	SUBJECT	APPLICATION
410	Identification Badges Criminal History Records	The Transportation Worker Identification Credential (TWIC) is required of all individuals needing unescorted access to Port Manatee. Individuals employed at the port and its tenant facilities upon issuance of their TWIC must enroll the credential into the port's access control system. To ensure currency of access eligibility, credentials must be enrolled on an annual basis. Renewal will be done annually on the same month the TWIC is to expire. The fee for enrollment is $30.00. Only port tenants, licensees and permit holders are eligible for permanent enrollment in the access control system. All others must check in at the access control center before each port entry.
411 ♦	Port Escort Service For Non-TWIC Holders	The Port Authority and Port Manatee are subject to minimum seaport security standards, procedures and requirements imposed by both federal and state laws. As such, it is the policy of the Port Authority to strictly enforce access to the port for all non-TWIC holders. All non-TWIC holders, with approved business on port property within the then current restricted zone, shall be monitored or escorted by Port Manatee personnel only, during all working hours and shifts, without exception. Custody and responsibility for authorized visitors subject to this policy may be transferred to the authorizing business or persons for the complete time period of each visit; then returned in-kind to Port Manatee personnel for monitored or escorted exit from the then current secure area. The Executive Director is authorized to consider individual cases of special dispensation, which do not compromise the intent of this tariff item or violate federal or state laws. Port Escort Service for Non-TWIC Holders from 8 a.m. until 5 p.m.....$70.00 Port Escort Service for Non-TWIC Holders after 5:00 p.m. until 8:00 a.m., holidays and weekends....$100.00 Deliveries of less than container load (LCL) or less than truck load (LTL) and trucks loading bulk commodities may be monitored in lieu of escort. Bulk commodities requiring special handing or attention must be escorted. Port Monitoring Fee for Non-TWIC holders is ~~$20.00~~ 30.00 All trucks involved in vessel operations must be operated by a valid TWIC holder.

ITEM	SUBJECT	APPLICATION
470	Rental of Equipment	Operator not supplied with this equipment: (See Item 445 for labor rates) Riding Lawnmower, per hour .....$44.72 Tractors, per hour .....$59.28 Forklift, per hour .....$59.28 Welder (225 Amp.).....$44.72 Portable Light Unit.....$44.72 Air Compressor (125 PSI), per hour..... .$44.72 Pickup Truck, per hour ..... $44.72 Trash Dumpster (per load) ..... $59.28 Big Red Generator, per day, plus fuel.....$278.51 Tram, includes guide, driver, security.....$300.00 Drag Bar.....$1,040.00 per day Mats, timber or other material as mandated for use to protect Authority property to comply with procedures for crane operations of Item 484 or to meet other requirements of the Executive Director or his designee: Per Daily Use.....$333.84 Operator supplied with this equipment: Street Sweeper, per hour 2 hr min.....$178.88* Scissor Lift, per hour 2 hr min.....$145.60* High Lift per hour 2 hr min.....$286.00* *Rates are during normal working hours. Add 1.5 to rate per hour at times other than normal working hours. Motor Boat or work barge with outboard motor, per hour, 2 hour minimum.....$67.60 Any subcontracted equipment rentals will be charged at cost plus 10%. The Port reserves the right to require use of its own personnel unless prior arrangements are made. The Port reserves the right to not rent equipment or to terminate use and reassign equipment when and if necessary. ABOVE RATES SUBJECT TO APPLICABLE STATE SALES TAX.
475	Warehouse Storage	When in the best interest of the Port Authority, warehouse space may be leased at a rate of $.61 per square foot per 30-day period or fraction thereof or per items 702-725 whichever yields the greater revenue... subject to availability and at the discretion of the Executive Director. Long-term leases of one year or more are subject to negotiation and Executive approval.
476 ♦	Office Space/Utilities	Office space may be acquired subject to availability and at the discretion of the Executive Director at the following rates per square foot per month: Intermodal Office Complex/Port Admin/ Harris Intermodal: $2.08 plus utilities Warehouses 9 & 11: $1.56 plus utilities Warehouses 1 & 3: $1.46 plus utilities Access Control Training Room/Intermodal Chambers: $200.00/day* Cruise Terminal: $350.00/day* Other: negotiated *Plus security fees when applicable Longer-term leases of at least three years may be leased at a negotiated rate. Subject to Florida Sales Tax Item 241. Common area maintenance may be calculated at the discretion of the Executive Director at a reduced rate of the rental rate.

February 23, 2016

CONENT
AGENDA ITEM 1.E.: 2016 PORT MANATEE LEGISLATIVE AND ADVOCACY PRIORITIES--REVISED #2

BACKGROUND:

On September 17, 2015, the Authority approved the 2016 Port Manatee Legislative and Advocacy Priorities-Revised. Recently, the Florida House of Representatives passed both HB 7027 which provides a measure to increase mandatory funding for Sunshine State ports and HB 7061 which includes a provision for a Port Security Council and port security grant funding. In response to the passage of these bills, the 2016 Port Manatee Legislative and Advocacy priorities are revised to include advocacy for Senate companion bills passage and approval.

ATTACHMENT:

2016 Port Manatee Legislative and Advocacy Priorities-Revised #2

COST AND FUNDING SOURCE: N/A

CONSEQUENCES IF DEFERRED:

Delay in approving the revised 2016 Port legislative and advocacy priorities

LEGAL COUNSEL REVIEW: Yes

RECOMMENDATION:

Move to approve the 2016 Port Manatee Legislative and Advocacy Priorities-Revised #2.

2016 Port Manatee Legislative and Advocacy Priorities-Revised #2

State:

- Preserving the integrity of the Manatee County Port Authority governance structure and dependent special district status.

- Support for transportation projects that improve or have a positive impact on port access to the regional transportation network.

- Advocate for the legislature to continue to provide full funding needs requested by the Florida Ports Council for the FSTED identified projects. Specifically increase funding from $15M to $25M.

- Support for the Fish & Wildlife Commission's development of new facilities at Apollo Beach. New research facilities would help to provide information, research and support for Manatee County's aquaculture industry to include hatchery facilities at Port Manatee.

- Advocate for new legislation, if required, to support environmental improvements to port-owned submerged lands through introduction of seed shellfish. Research shows improvements in sea grass production and water quality resulting from the filtering effects of bivalve presence.

- Explore and advocate for Department of Environmental Protection grant funding opportunities for storm water treatment facilities.

- Assure that Port Manatee is represented at port related hearings and meetings of House and Senate Committees and in the Governor's office and at state agencies for appropriate maritime related meetings and events.

- Arrange and attend meetings with legislators/agency staff and Port Authority members/staff.

- Advocate for Senate passage and approval of a companion to House Transportation bills, HB 7027 and HB 7061. The House bills includes a provision for a Port Security Council and port security grant funding and increases mandatory funding for Sunshine State ports that we would like to see the Senate adopt.

Federal:

- Monitor ~~rulemaking for~~ implementation of USDA Fee Increases for Agricultural Inspections. USDA's Animal and Plant Health Inspection Service (APHIS) has proposed increases in fees it charges for conducting agricultural quarantine inspections (AQI) at U.S. ports of entry resulting in fee increases of 52 to 218% for various services to include a new $375 pest treatment fee. This action was not fully subjected to full stakeholder involvement and needs further thought on

impacts and coordination prior to implementing. Fees assessed on ships carrying produce to Port Manatee from the Caribbean and Central America could be assessed as much as $42,900 without the current cap in place which would be removed. Miami area Representatives Wilson and Diaz-Balart have introduced HR 1091 to cause a slowing of the process so stakeholders have an opportunity to provide input. We recommend support for the bill since the fee increases would adversely impact the port's produce shippers.

- Advocate for federal funding for continued operation and maintenance of the Manatee Harbor entrance channel and Tampa Bay main channel to include maintaining adequate dredged material disposal capacity at the port.

- Advocate for continued federal funding in conjunction with dredged material management facility improvements to provide and transport dredged material to be beneficially used for Washington Park, Palmetto, restoration.

- Advocate for full use of the federal Harbor Maintenance tax that provides full federal funding for federal channel maintenance.

- Represent Port Manatee at industry and federal government maritime related events to include House and Senate committee meetings when Port Manatee supported legislation is under consideration.

dbs/05Feb2016

February 23, 2016

CONSENT
AGENDA ITEM 1.F.: LEASE AMENDMENT #3 - ALPICO INTERNATIONAL

BACKGROUND:

On January 21, 2016, the Port Authority approved Lease Amendment #2 with Alpico International (Alpico) for reduced office space. Due to unanticipated new business, Alpico is in need of the additional offices. Lease Amendment #3 increases the square footage and rent accordingly.

ATTACHMENT:

Port Manatee Lease Amendment #3

COST AND FUNDING SOURCE:

N/A

CONSEQUENCES IF DEFERRED:

Delay in approving tenant's request.

LEGAL COUNSEL REVIEW: Yes

RECOMMENDATION:

Move to approve and authorize the Chairman to execute Port Manatee Lease Amendment #3 between Manatee County Port Authority and Alpico.

PORT MANATEE LEASE AMENDMENT #3

The terms and conditions of this Port Manatee Lease Amendment #2 (hereinafter "Amendment #2"), made and entered into by and between the MANATEE COUNTY PORT AUTHORITY, a political entity of the State of Florida, with its principal place of business located at Port Manatee, 300 Tampa Bay Way, Palmetto, Florida 34221, hereinafter referred to as the "Authority", and ALPICO INTERNATIONAL, an entity duly organized to do business in the State of Florida, with a principal place of business located at 13230 Eastern Avenue, Palmetto, Florida 34221, hereinafter referred to as the "Lessee," for and in consideration of the mutual covenants herein contained and other good and valuable consideration, amend the Port Manatee Lease entered into by the parties hereto dated December 19, 2013 (hereinafter "Lease"), the Port Manatee Lease Amendment #1 dated April 17, 2014 ("Lease Amendment"), and the Port Manatee Lease Amendment #2 dated January 21, 2016 ("Amendment #2") and state as follows:

1. **SCOPE.** This Amendment #3 is being entered into for the purpose of amending, modifying and superseding paragraphs 1 and 3 of Port Manatee Lease Amendment #2. Except to the extent herein amended, all other provisions set forth in the Lease shall remain in full force and effect and binding upon the Authority and the Lessee. In entering into Amendment #2, the parties acknowledge that in no way has the Authority waived any of its rights or claims it may have against the Lessee.
2. **MODIFICATION.** The parties hereby agree to amend, modify, and supersede paragraphs 1 and 3 of the Lease, and paragraph 2 of the Amendment #2, respectively, as follows:

1. DEMISED PREMISES. The Authority does hereby demise, let and rent unto the Lessee and the Lessee does hereby hire and take as tenant those certain facilities located in Manatee County, Florida identified as a portion of Port Manatee and hereinafter identified as the "demised premises" initialed on behalf of the parties hereto in one or more of the following subparagraphs, to have and to hold the same pursuant to the provisions hereinafter set forth:

13230 Eastern Avenue, Palmetto, Florida 34221, office space consisting of the following:

- Main Office – 231 square feet
- East Office #1 – 226 square feet
- East Office #2 – 226 square feet
- East Office #3 – 225 square feet
- West Office – 228 square feet

Total square footage is 1,136 to be used by the Lessee solely for the purpose of an office or offices for conducting the activities, business and operation of the Lessee in connection with the activities and operations of the Lessee at Port Manatee related to waterborne commerce.

3. RENT. The Lessee shall pay to the Authority throughout the duration or term of this lease rent for the demised premises for each and every month of the term of this lease a sum in the amount of $1.36 per square foot, per month, payable in advance or $1,544.96. The Lessee shall also pay any applicable Florida sales taxes on said rent, payable at the same time rental payments are made.

3. **CONFLICT.** In the event of a conflict regarding the provisions set forth in paragraphs 1 and 3 of the Lease, or paragraph 2 of the Amendment #2 and the provisions contained in this Amendment #3, the provisions set forth in Amendment #3 shall prevail. In the event of a conflict between any other paragraphs within Amendment #3 and the Lease, the Lease shall prevail.

4. **MUTUAL REPRESENTATIONS.** Each of the parties hereto represents unto the other party hereto that Amendment #2 shall govern the parties' responsibilities regarding the demised premises and rental fees.

5. **EFFECTIVE DATE.** The effective date of Amendment #3 is February 1, 2016.

IN WITNESS WHEREOF, the parties have caused this Amendment #3 to be duly executed in duplicate this the 23rd day of February 2016.

ATTEST: ANGELINA M. COLONNESO
Clerk of Circuit Court

By: _____
Printed: _____

MANATEE COUNTY PORT AUTHORITY

By: _____
Betsy Benac
Chairman

AUTHORITY

WITNESSES:

_____

_____

ALPICO INTERNATIONAL

By: _____

Title: President

LESSEE

February 23, 2016

AGENDA ITEM 2.: PORT MANATEE MOBILE HARBOR CONTAINER CRANE #2 AGREEMENT THIRD AMENDMENT

BACKGROUND:

On February 18, 2010, the Port Authority approved and the Chairman executed the Port Manatee Mobile Harbor Container Crane #2 Agreement ("Agreement") with Logistec USA, Inc. ("Logistec"). The Agreement included terms for the purchase, finance and maintenance of Crane #2. Specifically, the Agreement included a hardship exception clause, which provided Logistec with the option to terminate the Agreement after the first five years if Logistec was unable to use the crane at least 600 hours per year. On January 9, 2015, Logistec provided the Authority with its Notice of Intent to terminate the Agreement pursuant to the hardship exception clause. Since that time, negotiations have taken place and an amendment to the Agreement is proposed. The amendment provides that Logistec would continue to operate under the terms and conditions of the Agreement except the Authority would now provide Logistec a $7,000 per month payment for the monthly maintenance of the crane, the Authority and Logistec would share the cost in capital repairs to the crane, and the hardship exception clause has been deleted and replaced with a provision allowing Logistec a one-time opportunity to terminate the Agreement during the first year in the event Logistec is unable to obtain a contract with its client. This amendment to the Agreement allows the crane to be used continually.

ATTACHMENT:

TO BE PROVIDED

COST AND FUNDING SOURCE:

Annual payments of $84,000 from port cash reserves

CONSEQUENCES IF DEFERRED:

Possibility that crane #2 will not be used

LEGAL COUNSEL REVIEW: Yes

RECOMMENDATION:

Move to approve and authorize the Chairman to execute the Port Manatee Mobile Harbor Container Crane #2 Agreement Third Amendment, between Logistec USA Inc. and the Manatee County Port Authority.