



VINCE J. WHIBBS SR. COMMUNITY  
**MaritimePark**<sup>™</sup>  
PENSACOLA, FL

The CMPA Board of Trustees of the Community Maritime Park Associates, Inc. was called to order at 1:30 P.M. on January 18, 2017. Present at the meeting were Mr. Jim Reeves, Mr. John Merting, Ms. Ann Hill, Dr. Jimmy Jones, Mr. Buddy McCormick, Jr. (left at 2:47), Mr. James Smith, Mr. Mark Taylor, Ms. Kelly Wiczorek, Ms. Amy Klotz (left at 2:05 pm), Ms. Alexis Bolin and Mr. Fred Gunther (arrived 1:34 pm). Also present was Mandy Bills, CMPA Executive Assistant, and Justin Paul, Special Events Coordinator, from the City of Pensacola. CMPA Legal Counsel Ms. Lisa Minschew was also present. The meeting was properly noticed and open to the public. These minutes are a synopsis of the actions taken at that meeting and are not intended as verbatim minutes.

- I. Chairman Reeves called the meeting to order at 1:30 p.m.
- II. Chairman Reeves called for any corrections, additions, or deletions to the minutes of the previous meeting on November 21, 2016. Mr. Smith moved to approve the minutes and Ms. Bolin seconded the motion. Without objection, the minutes then passed unanimously (10-0).
- III. Open Forum

On May 10, 2016, the proposed sign design for a Maritime Park Sign was presented to the Planning Board by Ms. Wiczorek. The Planning Board gave conceptual approval for the proposed design and size of the sign. Ms. Wiczorek has contacted Mr. Tom Paux from Brix Design seeking informal advice and suggestions on the sign design plan.

Mr. Paux presented the Board of Trustees with a rendering of the proposed signage for the Community Maritime Park including size specifications. He stated that the sign would sit upon a concrete footer with a beveled edge. Mr. Paux

suggested placing a small bed of gravel surrounding the sign to prevent any damage from lawnmowers. The majority of the sign would be 100% stainless steel with the steel beam supporting the Vince J. Whibbs, Sr. portion of the sign powder coated blue. He provided a sample letter from the sign so the Board could determine the size of the sign and the readability from the road. The potential size of the signage could be 150 to 250 square feet depending on the size chosen for the letters. Mr. Paux will provide the Operations and Audit Committee with pricing by the next meeting.

- IV. Chairman Reeves called on Mr. Justin Paul to present the Community Maritime Park Events Update. Mr. Paul stated that there were 59 total events with over 58,000 in attendance last year. He noted that the events have continued to grow each year. Several of the events mentioned included: Hill Kelly Movies in the Park, Blues on the Bay Concert Series, 5210 Day of Play, Memorial Concert with the Civic Band, and 4th of July Concert with the Pensacola Symphony. Mr. Paul stated that in addition, there were 20 park rentals last year including the Double Bridge Run, Summerfest and a Bark to Remember.

During the baseball season, a Volunteer Parking Program is provided that allows non-profit entities to earn funds towards their causes. In 2016, \$12,784 was raised for non-profit entities and \$58,138.86 has been raised since inception of the program.

Awards received by the Community Maritime Park this year included the Urban Land Institute Award of Excellence, Best of the Coast for the Rotary Centennial Playground and the Best of the Coast 1<sup>st</sup> Runner-up for the Best Free Concert Series.

- V. Chairman Reeves called on Mr. David Lister and Mr. Greg Storey from Saltmarsh, Cleaveland and Gund to present the FY 2016 Annual Financial Statement Audit. Mr. Lister stated, in their opinion, the financial statements were presented fairly. He stated they saw no problems nor did they have any audit adjustments. Mr. Lister then reviewed the FY 2016 Annual Financial Statement Audit and stated that it was a clean audit.

Ms. Bolin move to accept the CMPA Annual Financial Statement Audit for the fiscal year ended September 30, 2016 and the Independent Auditors Report issued thereon. Mr. Taylor seconded the motion and it passed (10-0).

- VI. Chairman Reeves called on Mandy Bills to present the 2016 CMPA Form 990 Informational Tax Return prepared by Warren Averett. Ms. Bills stated Form 990 is an annual IRS reporting requirement for all nonprofit corporations and the information contained in the return is taken from the audited financial statements.

Ms. Bolin moved that the CMPA Board of Trustees accept the Form 990 Informational Tax Return for the fiscal year ended September 30, 2016. Ms. Wieczorek seconded the motion and it passed unanimously (9-0).

- VII. Chairman Reeves called on Rebecca Ferguson to present the Marine Debris Removal Update. Ms. Ferguson reminded the Board that the City was able to secure some EPA Brownfields Grant money to do an environmental assessment in the submerged land off of the Community Maritime Park. A side scan sonar which creates an image of the sea floor detected approximately 526 standing pilings of varying heights with many more laying down. A diver took several soil samples to determine what kind of contamination may have occurred from the creosoted pilings. EPA has recommended establishing site specific sediment quality guidelines determining what needs to be treated, how to treat it and whether or not the creosoted pilings need to be cut, capped or pulled out. Ms. Ferguson stated the City has already applied for additional funds from the EPA Brownfields Grant for the cleanup of any contamination and removal of the pilings and is awaiting their decision.

- VIII. Chairman Reeves called on Lisa Minshew to present the Legal Counsel Update. Ms. Minshew provided the Board of Trustees with a copy of the Conflict of Interest Policy. Each year the Board of Trustees has to review and agree to comply with this policy in order to maintain the CMPA's 501C3 status.

Ms. Minshew then stated that she has continued to work on resolving the Maritime One, LLC issue regarding the cost for relocating the irrigation line. The CMPA paid approximately \$35,000 in repairs. Ms. Minshew filed a claim of lien at the Board's direction in September 2016 against Maritime One, LLC. Williams Brown (Maritime One's contractor) and Maritime One have offered to settle in the amount of \$20,000 to have claim of lien removed. It is Ms. Minshew's

recommendation to settle with Williams Brown and Maritime One in the amount of \$20,000.

There is an outstanding issue with Wallace Landscaping who repaired the initial break in the irrigation line during construction and also was paid by the CMPA to subsequently relocate the irrigation line. Therefore the acceptance of the settlement in the amount of \$20,000 is only releasing Maritime One and Williams Brown.

Mr. Merting moved to authorize and accept the \$20,000 as full settlement and to remove the claim of lien from Maritime One and Williams Brown, but to reserve all rights with regard to Wallace Landscaping. Ann Hill seconded the motion and it passed 7-0 with Ms. Wiczorek abstaining.

Ms. Hill moved that the Board of Trustees instruct the City not to use Wallace Landscaping on behalf of the CMPA until Wallace settles the Maritime One, LLC issue regarding the cost for relocating the irrigation line. Mr. Taylor seconded the motion. After some discussion, Mr. Taylor withdrew his second.

## IX. CMPA Committee Reports

### A. Design Committee

Dr. Jones updated the Board with the current matters of the Design Committee. He stated that the Design Committee has not had a quorum present at their meetings for the last several months and has been unable to make any recommendations.

Chairman Reeves suggested, that without objection, that the non-Trustee members of the Design Committee be considered nonvoting advisory committee member rather than voting members. Seeing no objection Chairman Reeves will send a letter to the affected committee members notifying them of the change.

### B. Operations and Audit Committee

Mr. Merting stated that Mr. Rushing has determined it is not economical to buy down the insurance deductible. He advised the Board that Mr. Rushing

provided the Committee a few insurance options offered by Beck Partners Insurance that provide virtually the same benefits with a smaller deductible. These options will need to be reviewed by the City's Risk Manager.

Mr. Merting stated the New Market Tax Credit compliance requirements obligate the CMPA to maintain a minimum of 1.75 leased employees throughout the compliance period. The City has proposed the following employees be leased by the CMPA at the percentages indicated:

- Justin Paul, Special Events Coordinator (Leased Employee Percentage 0.95)
- Tonya Vaden, Marketing Coordinator (Leased Employee Percentage 0.25)
- Bill Kimball, Parks Superintendent (Leased Employee Percentage 0.15)
- Robbie McGuire, Building Construction and Facilities Manager (Leased Employee Percentage 0.15)
- Mandy Bills, Executive Assistant (Leased Employee Percentage 0.25)

Mr. Merting moved to accept the proposed percentages for leased employees from the City of Pensacola. Mr. Smith seconded the motion and it passed unanimously (9-0).

C. Executive Committee – Did not meet

X. Old Business

No old business was brought forth.

XI. New Business

Mr. Reeves noted that Mr. Jonathan Griffith and Mr. Randall Wells had spoken with him and stated that they would like a new sign board for the stadium at the Maritime Park. They stated that the current sign board's warranty has expired and the cost of maintenance would be approximately \$25,000 per year. They proposed purchasing a new sign board at the cost of \$250,000. They would like to split the cost 50/50 with the CMPA. Mr. Reeves suggested that they speak with the University of West Florida and request that they pay \$50,000 towards the new sign board as well.

The passenger elevator at the Community Maritime Park is constantly getting stuck with passengers in it. The manufacturer of the elevator felt like it was a programming error that was causing the elevator to get stuck. Mr. Reeves

authorized at the recommendation of Robbie McGuire no more than 6 hours at \$360 per hour to determine the cost to repair the elevator.

Mr. Gunther made a motion to authorized Ms. Bills to see when the warranty on the current scoreboard expires and obtain bids for a service contract on that existing scoreboard. Mr. Taylor seconded the motion.

After some discussion, Mr. Gunther withdrew his motion and Ms. Bills will follow up with the Board of Trustees after researching several option regarding the scoreboard.

XI. The meeting was adjourned at 3:37 p.m.

Respectfully submitted, Ms. Ann Hill, Secretary