

Minutes

Unapproved

BOARD OF PILOT COMMISSIONERS

Hampton Inn & Suites Cape Canaveral Cruise Port

9004 Astronaut Blvd.

Cape Canaveral, Florida 32920

321.784.0021

June 16-17, 2022

Port Visit

Thursday, June 16, 2022, 4:00 P.M. EST

9060 Herring Street, Cape Canaveral, Florida 32920

(No Board Business Will Be Conducted)

Pilotage Rate Review Committee Hearing

Port Canaveral

Friday, June 17, 2022, 9:00 A.M. EST

Hampton Inn & Suites Cape Canaveral Cruise Port

9004 Astronaut Blvd.

Cape Canaveral, Florida 32920

321.784.0021

CALL TO ORDER.

Meeting was called to order by Chairman Benson at 9:00 a.m.

ROLL CALL:

Members Present:

Commissioner Benson

Commissioner Kurtz

Commissioner Jaccoma

Commissioner Assal

Members Absent:

None

Others Present

Amanda Ackermann, Executive Director

Mollie Peck, Government Analyst

Marlene Stern, Committee Counsel

Richard Law, Committee Consultant

Thomas Bushy, Board Consultant

Captain Ben Borgie, Canaveral Pilots Association

Pilotage Rate Review Committee Public Hearing, June 17, 2022

Page 1

Terry Fluke, Tampa Bay Pilots Association
Captain Matt Lynch, Canaveral Pilots Association
Captain Geoffrey Pool, Biscayne Bay Pilots Association
Captain Sean Morrissey, Canaveral Pilots Association
Captain Richard Grimison, Canaveral Pilots Association
Captain Brett Baker, Tampa Bay Pilots Association
Captain Tobias Rose, Tampa Bay Pilots Association
Captain Ben Borgie, Florida Harbor Pilots Association
Captain Nathan Cook, St. John's Bay Pilots Association
Gretchen Winters, Florida Harbor Pilots Association
Laura Di Bella, Florida Harbor Pilots Association
Warren Hudson, Counsel, Florida Harbor Pilots Association
Terri Burdine, RSM US, LLP
Adam Ceserano, Florida-Caribbean Cruise Association
George N. Meros, Jr. Esq.
Court Reporter, Angell Reporting Service, Inc.

Chair's Opening Comments

Preliminary Discussion and Procedural Review – Ms. Marlene Stern, Committee Counsel

Presentation of the Findings of the Investigative Committee – Mr. Richard Law, CPA, Committee Consultant

Mr. Law presented his findings contained in the Investigative Committee Report.

Canaveral Pilots' Association Presentation In Support of its Application for Rate Change

A presentation contained in the record was presented to the Committee by Captain Ben Borgie of the Canaveral Pilots Association and George N. Meros, Jr. Esq.

Presentation by Florida-Caribbean Cruise Association on their Alternate Application/Settlement Agreement

A statement was made by Adam Ceserano in the record on the Alternate Application/Settlement Agreement.

Presentation by Other Affected Parties. There were no other presentations by any affected parties.

Public Comments. There were no public comments.

Deliberation and Determination of Requests for Change in the Rate of Pilotage for Port Canaveral

The thirteen (13) factors contained in the Investigative Report as presented by Mr. Law were considered.

A motion was made by Commissioner Kurtz and Seconded by Commissioner Benson to accept that Canaveral Pilots Association proved that it is in the public interest to have qualified pilots available to respond promptly to vessels needing their service. Motion carried.

A motion was made by Commissioner Kurtz and seconded by Commissioner Jaccoma to accept the determination of the average net income of the pilots in the port, including the value of all benefits derived from service as a pilot. Motion carried.

A motion was made by Commissioner Kurtz and seconded by Commissioner Jaccoma to accept the reasonable operating expenses of the Pilots. Motion carried.

A motion was made by Commissioner Kurtz and seconded by Commissioner Jaccoma to accept the findings of Pilotage Rates in other ports. Motion carried.

A motion was made by Commissioner Kurtz and seconded by Commissioner Jaccoma to accept the amount of time each pilot spends in actual piloting duty and the amount of time spent on other essential support services. Motion carried.

A motion was made by Commissioner Kurtz and seconded by Commissioner Benson to accept the prevailing compensation to individuals in other maritime services of comparable professional skill and standing. Motion carried.

A motion was made by Commissioner Kurtz and seconded by Commissioner Jaccoma to accept the impact the rate change may have in individual pilot compensation and whether such change will lead to a shortage of licensed state pilots, certificated deputy pilots or qualified pilot applicants. Motion carried.

A motion was made by Commissioner Kurtz and seconded by Commissioner Jaccoma to accept the projected changes in vessel traffic. Motion carried.

A motion was made by Commissioner Kurtz and seconded by Commissioner Jaccoma to accept the cost of retirement and fringe benefit plans. Motion carried.

A motion was made by Commissioner Kurtz and seconded by Commissioner Jaccoma to accept the physical risks inherent in piloting. Motion carried.

A motion was made by Commissioner Kurtz and seconded by Commissioner Jaccoma to accept the special characteristics, dangers and risks of the port. Motion carried.

A motion was made by Commissioner Kurtz and seconded by Commissioner Jaccoma to accept the other relevant information such as the older tugs that are being used. Motion carried.

A motion was made by Commissioner Kurtz and seconded by Commissioner Jaccoma to take into consideration the consumer price index and other comparable economic indicators presented in the investigative report. Motion carried.

A motion was made by Commissioner Assal and seconded by Commissioner Benson to accept the proposed FCCA and the Canaveral Pilots Settlement agreement, minus the board of governance fee. Motion carried.

Adjournment

A motion to adjourn the meeting was made by Commissioner Kurtz and seconded by Commissioner Jaccoma. The meeting was adjourned at 11:20 a.m. EST.