

Minutes

Approved

BOARD OF PILOT COMMISSIONERS

Hilton Garden Inn Palm Beach Gardens

3505 Kyoto Gardens Drive

Palm Beach Gardens, Florida 33410

561.694.5833

November 8-9, 2021

Port Visit

Monday, November 8, 2021, 3:00 P.M. EST

200 East 13th Street, Riviera Beach, 33401

(No Board Business Will Be Conducted)

Pilotage Rate Review Committee Hearing

Port of Palm Beach

Tuesday, November 9, 2021, 10:00 A.M. EST

Hilton Garden Inn Palm Beach Gardens

3505 Kyoto Gardens Drive

Palm Beach Gardens, Florida 33410

561.694.5833

CALL TO ORDER.

Meeting was called to order by Chairman Jaccoma at 10:35 a.m.

ROLL CALL:

Members Present:

Commissioner Kurtz

Commissioner Assal

Commissioner Russo

Members Absent

Commissioner Benson, Excused

Others Present

Amanda Ackermann, Executive Director

Mollie Peck, Government Analyst

Donna McNulty, Committee Counsel

Marlene Stern, Committee Counsel

Richard Law, Committee Consultant

Thomas Bushy, Board Consultant

Captain Reid Hansen, Palm Beach Pilots Association

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Captain Dane Britt, Palm Beach Pilots Association
Captain Eric Baker, Palm Beach Pilots Association
Terry Fluke, Tampa Bay Pilots Association
Captain Brett Baker, Tampa Bay Pilots Association
Captain Ben Borgie, Florida Harbor Pilots Association
Gretchen Winters, Florida Harbor Pilots Association
Laura Di Bella, Florida Harbor Pilots Association
Warren Hudson, Counsel, Florida Harbor Pilots Association
Court Reporter, Phipps Reporting

Chair's Opening Comments

Preliminary Discussion and Procedural Review – Ms. Donna McNulty, 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.

Palm Beach Pilots Association Presentation In Support of its Application for Rate Change

A Power Point presentation contained in the record was presented to the Committee by Captain Reid Hansen of the Palm Beach Pilots Association.

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 of Palm Beach

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 Assal to accept that Palm Beach 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 Russo and seconded by Commissioner Kurtz 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 Assal to accept the reasonable operating expenses of the Pilots. Motion carried.

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

A motion was made by Commissioner Kurtz and seconded by Commissioner Russo 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 Russo 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 Russo 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 as amended. Motion carried.

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

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

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

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

A motion was made by Commissioner Kurtz and seconded by Commissioner Russo 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 Russo 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 Kurtz and seconded by Commissioner Russo to accept the rate change proposed by Palm Beach in their application with the following amendments: the new pilot boat fee was amended to \$50 from \$25; the first increase will happen after six months instead of 12 months. Commissioner Assal opposed. Motion carried.

Adjournment

A motion to adjourn the meeting was made by Commissioner Kurtz and seconded by Commissioner Assal. The meeting was adjourned at 2:39 p.m. EST.