

MAY 09, 2011

A Joint Meeting of the [Board of Port Commissioners](#) of the Lee County Port Authority, with the Airports Special Management Committee, was held on this date in the Training Facility at the Southwest Florida International Airport, with the following members present:

**LEE COUNTY PORT AUTHORITY**

Frank B. Mann, Chairman  
 John E. Manning, Vice Chairman  
 A. Brian Bigelow  
 Ray Judah  
 Tammara Hall

**AIRPORTS SPECIAL MANAGEMENT COMMITTEE**

Joe Burgess, Chair  
 Noel Address, Vice Chair  
 Fran Myers  
 Daniel J. Baggot  
 Anu Lacis  
REGIONAL MEMBER(S)  
 Representing Charlotte County,  
 Brigadier General Rufus Lazzell (U.S. Army Retired)  
 Representing Collier County, Jeffrey D. Fridkin

ON FILE IN THE MINUTES OFFICE: [PROJECT UPDATE REPORTS](#) FOR MARCH AND APRIL 2011; [PROCUREMENT STATUS REPORT](#) FOR APRIL 2011; [PASSENGER COMPARISON REPORT](#) FOR Q2; AND [SEAT AND FLIGHT COMPARISON REPORT](#) FOR APRIL.

The Chairman called the meeting to order at 9:30 a.m. The Pledge of Allegiance was followed by an Invocation given by Deputy Director of Administration Ben Siegel.

**PRESENTATIONS**

Commissioner Frank Mann read from the [2011 Aviation Professional of Year Award](#) awarded by the Southeast Chapter of the American Association of Airport Executives (AAAE) at its annual conference to Port Authority Executive Director Robert M. Ball. Mr. Ball provided some background on the AAAE organization and expressed his appreciation.

Employee Support Division of the Guard and Reserve (ESGR) representatives Donald “Bud” Wallen and Marianna Grimes, along with Executive Petty Officer of the Fort Myers Beach US Coast Guard Station Chief Gary Auslam, were present to bestow the ‘[Above and Beyond Award](#)’ to the Lee County Port Authority for support of their employees who are called up for military duty. The award was initiated by National Guard Bureau Gary Cyr, who was unable to be present. Mr. Wallen provided some background on the ESGR, and introduced previous Award winner Ms. Grimes who then read and presented the award. Chairman Mann accepted the award on behalf of the entire Board, management and staff.

**9:30 A.M. AGENDA ITEM** - Public Comment on Agenda Items  
 Consent (C) and Administrative (A)

The Chairman called for public comment; however, no one came forward.

**ANNOUNCEMENTS**

The Chairman announced that there were no changes or revisions to the agenda.

The following are the Consent Agenda items that each Board member wished to have discussed:

- Commissioner Manning - none
- Commissioner Judah - none
- Commissioner Hall – 4(q)
- Commissioner Mann - none
- Commissioner Bigelow- 4(r)

**CONSENT AGENDA**

1. **COMMUNICATIONS**

- (a) Approve the Minutes for the following meetings of the Board of Port Commissioners:

March 14, 2011 (Joint Port)

**What action accomplishes:** Approval of the Board Minutes, pursuant to Florida Statute 286.011.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve.

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

2. **COMMITTEES AND BOARDS**

No requests received.

3. **LEGISLATION**

No requests received.

4. **BUDGETING, PURCHASES, CONTRACTS AND AGREEMENTS**

(a) Approve a [“Nonparticipating Airline Airport Use Permit” Agreement with SkyWest Airlines, Inc.](#)

**What action accomplishes:** Specifies terms and conditions for the airline's use of facilities and equipment at RSW.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve.

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

(b) Approve a [“Ground Lease for Construction and Operation of a Gas Station and Convenience Store at Southwest Florida International Airport”](#) with Ft. Myers Airport Plaza, LLC.

**What action accomplishes:** Leases land on Terminal Access Road for construction and operation of a service plaza.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve.

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

(c) Approve an [“Off-Airport Parking Company Airport Use Permit Agreement” with Alico Lodging, LLC d/b/a “Holiday Inn Fort Myers Airport – Town Center.”](#)

**What action accomplishes:** Authorizes off-airport parking company to access Southwest Florida International Airport with shuttle vehicles.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve.

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

(d) Approve [Modification Number 2 to the State of Florida, Department of Law Enforcement’s Lease No. 710:0226](#), for space in the former terminal building at Page Field.

**What action accomplishes:** Provides for existing tenant's move into a larger space in the former terminal building at Page Field General Aviation Airport.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve.

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

(e) Approve a [“First Amendment to On-Airport Rent-A-Car Concession Agreement”](#) with Avis Rent A Car System, LLC.

**What action accomplishes:** Allows Authority to relocate and resize Concessionaire's leased premises as part of overall rental car space reallocation, and provides for reimbursement of Authority's reallocation project costs through adjusted rents and extended term.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve.

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

- (f) Approve a [“First Amendment to On-Airport Rent-A-Car Concession Agreement”](#) with Budget Rent A Car System, Inc.

**What action accomplishes:** Allows Authority to relocate and resize Concessionaire's leased premises as part of overall rental car space reallocation, and provides for reimbursement of Authority's reallocation project costs through adjusted rents and extended term.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve.

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

- (g) Approve a [“First Amendment to On-Airport Rent-A-Car Concession Agreement”](#) with DTG Operations, Inc. (d/b/a Dollar).

**What action accomplishes:** Allows Authority to relocate and resize Concessionaire's leased premises as part of overall rental car space reallocation, and provides for reimbursement of Authority's reallocation project costs through adjusted rents and extended term.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve.

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

- (h) Approve a [“First Amendment to On-Airport Rent-A-Car Concession Agreement”](#) with Enterprise Leasing Company of Florida, LLC.

**What action accomplishes:** Allows Authority to relocate and resize Concessionaire's leased premises as part of overall rental car space reallocation, and provides for reimbursement of Authority's reallocation project costs through adjusted rents and extended term.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve.

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

- (i) Approve a [“First Amendment to On-Airport Rent-A-Car Concession Agreement”](#) with The Hertz Corporation.

**What action accomplishes:** Allows Authority to relocate and resize Concessionaire's leased premises as part of overall rental car space reallocation, and provides for reimbursement of Authority's reallocation project costs through adjusted rents and extended term.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve.

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

- (j) Approve a [“First Amendment to On-Airport Rent-A-Car Concession Agreement”](#) with National Rental (US) Inc.

**What action accomplishes:** Allows Authority to relocate and resize Concessionaire's leased premises as part of overall rental car space reallocation, and provides for reimbursement of Authority's reallocation project costs through adjusted rents and extended term.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve.

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

- (k) Approve a [“First Amendment to On-Airport Rent-A-Car Concession Agreement”](#) with Thrifty Rent-A-Car System, Inc.

**What action accomplishes:** Allows Authority to relocate and resize Concessionaire's leased premises as part of overall rental car space reallocation, and provides for reimbursement of Authority's reallocation project costs through adjusted rents and extended term.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve.

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

- (l) Approve a [“First Amendment to On-Airport Rent-A-Car Concession Agreement”](#) with Vanguard Car Rental USA, LLC (d/b/a Alamo).

**What action accomplishes:** Allows Authority to relocate and resize Concessionaire's leased premises as part of overall rental car space reallocation, and provides for reimbursement of Authority's reallocation project costs through adjusted rents and extended term.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve.

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

- (m) Award RFB #11-12 (Request for Bids for “On-Airport Rental Car Concession Services and Counter Space Lease at Page Field’s New General Aviation Terminal”) to the highest responsive, responsible bidder, [The Hertz Corporation](#), and authorize the Chairman to execute the contract documents.

**What action accomplishes:** Awards Page Field on-airport rent-a-car concession to the highest responsive, responsible bidder, The Hertz Corporation.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve.

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

- (n) Approve a [“License Agreement](#) for Co-Location on a Common-Use Communications Tower at Southwest Florida International Airport,” and corresponding [“Memorandum of License,”](#) with T-Mobile South LLC.

**What action accomplishes:** Provides space on RSW's common-use cell tower for T-Mobile's antennas.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

- (o) Approve a [“Lease of Facilities at Page Field General Aviation Airport”](#) with Paragon Flight Training Co., including an [“Agreement to Terminate Existing Leases”](#) with Paragon Airplane Leasing Co.

**What action accomplishes:** Leases larger facilities to aviation business to allow for growth.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve.

- (p) Approve a [“First Amendment to License Agreement](#) for Construction and Use of a New Common Use Communications Tower at Southwest Florida International Airport,” and a corresponding [“Amended Short Form of License Agreement,”](#) with Verizon Wireless Personal Communications, LP.

**What action accomplishes:** Leases additional ground space for addition to equipment.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve.

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

- (q) Approve a non-domiciled parking rate for the Southwest Florida International Airport in the amount of \$35.00 monthly.

**What action accomplishes:** Establishes a revised non-domiciled monthly parking rate for airline, aircrew members.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve.

#### PULLED FOR DISCUSSION

Commissioner Hall moved approval, seconded by Commissioner Judah. Following comments of appreciation for this accommodation to employees by Commissioner Hall, the motion was called and carried.

- (r) Approve [Second Amendment to Service Provider Agreement](#) for Janitorial Services for the Southwest Florida International Airport, with Triangle Services of Florida, Inc., amending the scope of services for Contract No. 4493 to incorporate Authority facilities at Page Field Airport, as authorized.

**What action accomplishes:** To provide janitorial services for the new Page terminal.

**Term:** N/A

**Funding Source:** General Airport Operating Revenues collected during the normal operation of the Page Field General Aviation Airport, Account UH5120041203.503410, Janitorial Services, contingent upon approval of the associated annual operating budgets.

**Management Recommendation:** Approve.

#### PULLED FOR DISCUSSION

Commissioner Bigelow suggested that the Airports Special Management Committee and the Executive Director look at all contract extensions with regard to fee negotiations and selection of vendors. Commissioner Bigelow then moved approval of this item, seconded by Commissioner Judah, called and carried.

- (s) Award PAB 11-04, Repair and Maintenance of Centrifugal Chillers and Related Systems at the Southwest Florida International Airport to Johnson Controls, Inc., the lowest, most responsive, responsible bidder, and authorize Chair to execute a [Service Provider Agreement](#), as attached on behalf of the Board.

**What action accomplishes:** Provide repair and maintenance of centrifugal chillers and related systems at the Southwest Florida International Airport to Johnson Controls, Inc.

**Term:** N/A

**Funding Source:** General Airport Operating Revenues collected during the normal operation of the Southwest Florida International Airport, Account WJ5422941200.503490, Airport Contract Management, contingent upon approval of the associated annual operating budgets.

**Management Recommendation:** Approve.

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

- (t) Approve a contract between the Lee County Port Authority and [Joseph D. Lemmons, D.O., F.A.C.O.E.P.](#), for services as Medical Director for the Port Authority Aircraft Rescue and Fire Fighting Department; and authorize the Executive Director or designee to execute the Agreement.

**What action accomplishes:** Establish a three-year agreement with Lee County Medical Director, Dr. Joseph Lemmons, to oversee the medical protocol development for training and use of the Automatic External Defibrillators (AED).

**Term:** N/A

**Funding Source:** WF5423841200.503190, Airport Operating Fund: Crash Fire Rescue - Other Professional Services.

**Management Recommendation:** Approve.

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

- (u) 1) Authorize execution of a [contract amendment with Owen-Ames-Kimball](#) in the amount of \$710,015.68 to provide for construction services related to the PJD Parkway Water and Force Main Improvements at RSW, and 2) approve the Total Project Budget in the amount of \$864,348.68.

**What action accomplishes:** Provides for the installation of utilities to serve future Skyplex development along PJD Parkway.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve.

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

- (v) Rank qualifications submitted for LOQ 11-09 - Environmental Mitigation Design and Supplemental Engineering Services for the I-75 Access Roadway Connector at the Southwest Florida International Airport and authorize staff to begin contract negotiations with the top ranked firm.

**What action accomplishes:** Selects a consultant to design and oversee the construction of environmental mitigation work for the RSW- I-75 Access Roadway project.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve.

Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

## 5. **DEPARTMENTAL MATTERS**

No requests received.

## 6. **EXECUTIVE DIRECTOR**

No requests received.

## 7. **PORT ATTORNEY**

No requests received.

## **ADMINISTRATIVE AGENDA**

### 1. **COMMUNICATIONS**

No requests received.

### 2. **COMMITTEES AND BOARDS**

No requests received.

### 3. **LEGISLATION**

No requests received.

### 4. **BUDGETING, PURCHASES, CONTRACTS AND AGREEMENTS**

**CONVENE AS BOARD OF COUNTY COMMISSIONERS**

- (a) Approve Estoppel Agreement from KeyBank National Association for Inland Western Fort Myers Page Field LLC, Lessee of Page Field Commons, acknowledging Lessee's refinancing of Page Field Commons; and authorize Chair to execute Estoppel Agreement.  
**What action accomplishes:** Acknowledges Lessee, Inland Western Fort Myers Page Field LLC, refinancing of Page Field Commons project.  
**Term:** N/A  
**Funding Source:** N/A  
**Management Recommendation:** Approve.

REFER TO MINUTES OF THE SPECIAL BOARD MEETING OF MAY 9, 2011 FOR ACTION TAKEN.

- (b) Request Board approve grant of an amended 10-foot wide underground utility easement to Florida Power and Light, to provide continuing electrical service for the General Aviation Apron and new General Aviation Terminal on the West Quadrant of Page Field.  
**What action accomplishes:** Provides an amended 10-foot wide electrical utility easement to serve the General Aviation Apron and the new General Aviation Terminal at Page Field.  
**Term:** N/A  
**Funding Source:** N/A  
**Management Recommendation:** Approve

REFER TO MINUTES OF THE SPECIAL BOARD MEETING OF MAY 9, 2011 FOR ACTION TAKEN

#### RECONVENE AS BOARD OF PORT COMMISSIONERS

#### 4. **BUDGETING, PURCHASES, CONTRACTS AND AGREEMENTS**

- (a) Approve Estoppel Agreement from KeyBank National Association for Inland Western Fort Myers Page Field LLC, Lessee of Page Field Commons, acknowledging Lessee's refinancing of Page Field Commons, and authorize Chair to execute Estoppel Agreement.  
**What action accomplishes:** Acknowledges Lessee, Inland Western Fort Myers Page Field LLC, refinancing of Page Field Commons project.  
**Term:** N/A  
**Funding Source:** N/A  
**Management Recommendation:** Approve.

ITEMS A4(a) AND A4(b) WERE INADVERTENTLY OMITTED FROM THE AGENDA, AND HEARD SIMULTANEOUSLY

Commissioner Manning moved approval, seconded by Commissioner Hall, called and carried.

- (b) Request Board approve grant of an amended 10-foot wide underground utility easement to Florida Power and Light to provide continuing electrical service for the General Aviation Apron and new General Aviation Terminal on the West Quadrant of Page Field.  
**What action accomplishes:** Provides an amended 10-foot wide electrical utility easement to serve the General Aviation Apron and the new General Aviation Terminal at Page Field.  
**Term:** N/A  
**Funding Source:** N/A  
**Management Recommendation:** Approve

ITEMS A4(a) AND A4(b) WERE INADVERTENTLY OMITTED FROM THE AGENDA, AND HEARD SIMULTANEOUSLY

Commissioner Manning moved approval, seconded by Commissioner Hall, called and carried.

- (c) Provide direction related to Continuing consultant contracts.  
**What action accomplishes:** Board direction regarding Continuing consultant contracts.  
**Term:** N/A  
**Funding Source:** N/A  
**Management Recommendation:** Approve.

Deputy Executive Director of Development Services Mark Fisher reviewed the following policy changes with regard to continuing consultant contracts as agreed to by consensus of the Board at its workshop on April 27:

- 1) Limit contract terms to three (3) years, with no option for extensions;
- 2) Increase eligible services to be provided by the continuing Architecture/Engineering and Construction Management/General Contracting contracts from \$1 million to \$2 million estimated construction costs, as allowed by Florida Statutes; and
- 3) Expand the pool of continuing consultants from three (3) to six (6), with staff negotiating contracts with the two top ranked firms for all planning, environmental, or CMGC services.

Commissioner Hall moved approval, seconded by Commissioner Manning. Following the extension of thanks to the Airports Special Management Committee and Port Authority staff for their efforts, the motion was called and carried.

(d) Rank qualifications submitted for LOQ 11-06 General Architectural and Engineering Services, and authorize staff to begin contract negotiations.

**What action accomplishes:** Competitively selects a General Architectural and Engineering Consultant.

**Term:** N/A

**Funding Source:** N/A

**Management Recommendation:** Approve

Deputy Executive Director of Development Services Mark Fisher provided an overview of the request, and indicated staff would begin contract negotiations with the top two ranked firms. Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

#### **5. DEPARTMENTAL MATTERS**

No requests received.

#### **6. EXECUTIVE DIRECTOR**

No requests received.

#### **7. PORT ATTORNEY**

No requests received.

### **COMMISSIONER ITEMS/ COMMITTEE APPOINTMENTS**

ESTERO COMMUNITY REQUEST - Commissioner Mann referenced a conversation he had with Nick Batos, representing the Estero community, who requested that a particular air corridor be included in a current noise level study. Mr. Ball confirmed that the subject corridor was included.

There were no appointments offered by individual Commissioners.

### **COMMENTS FROM THE CHAIR OF THE AIRPORTS SPECIAL MANAGEMENT COMMITTEE (ASMC)**

ASMC Chair Joe Burgess had no items for discussion; however, referred the Board to the [TDC Bulletin](#) provided by Fran Myers. At the request of Mr. Andress, Mr. Ball reported that the Consultant looking into the SWFIA offsite parking competition, and was working on a final draft with recommendations forthcoming during the budget process. Mr. Lazell provided commentary on a prior question on the purpose of ASMC members at these Port Authority Board meetings.

### **EXECUTIVE DIRECTOR ITEMS**

Executive Director Bob Ball provided an overview of his [monthly report dated May 9, 2011](#), and introduced several identified staff. Mr. Ball also responded to questions by Commissioner Bigelow and ASMC member Andress. Commissioner Hall took this opportunity to personally thank Port employees on their United Way campaign achievement.

### **PORT ATTORNEY ITEMS**

Chief Port Authority Attorney Greg Hagen had no items for discussion.

Following brief closing comments of appreciation to the Port Authority employees upon reaching 107 percent of their United Way fundraising goal for this year, and congratulations again to Mr. Ball on his award, the Chairman adjourned the meeting at 10:09 a.m.

ATTEST:  
CHARLIE GREEN, CLERK

\_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
[Chairman, Lee County Port Authority](#)