

MARCH 14, 2011

The 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 (SWFIA), with the following members present:

**LEE COUNTY PORT AUTHORITY**

Frank B. Mann, Chairman  
John E. Manning, Vice Chairman  
A. Brian Bigelow (arrived at 9:36 a.m.)  
Ray Judah  
Tammara Hall

**AIRPORTS SPECIAL MANAGEMENT COMMITTEE**

Noel Andress, Vice Chair  
Anu Lacis  
REGIONAL MEMBER(S)  
Representing Collier County, Jeffrey D. Fridkin

ASMC MEMBERS JOE BURGESS, FRAN MYERS, DANIEL J. BAGGOT AND RUFUS LAZZELL WERE ABSENT FOR THE ENTIRE MEETING.

ON FILE IN THE MINUTES OFFICE: PROJECT UPDATE REPORTS FOR JANUARY AND FEBRUARY 2011; PROCUREMENT STATUS REPORT FOR MARCH; Q1 PASSENGER COMPARISON REPORT; AND SEAT AND FLIGHT COMPARISON REPORTS FOR FEBRUARY AND MARCH, 2011

The Chairman called the meeting to order at 9:32 a.m. The Invocation was given by Elder Michael Barnes, Jerusalem Church of God in Christ, followed by the Pledge of Allegiance.

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

The Chairman called for public comment on the Consent or Administrative Agendas; however, no one came forward.

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

Commissioner Hall –4f and 4g  
Commissioner Manning- none  
Commissioner Judah -none  
Commissioner Bigelow - none  
Commissioner – Mann – 4f

**CONSENT AGENDA****1. COMMUNICATIONS**

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

January 11, 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) [Accept a state grant](#) for the purchase of an Aircraft Rescue and Fire Fighting Structural Vehicle at the Southwest Florida International Airport.  
**What action accomplishes:** Accepts state grant funds for a replacement emergency truck.  
**Term:** N/A  
**Funding Source:** N/A  
**Management Recommendation:** Approve.

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

[RESOLUTION NO. PA 11-03-19](#)

- (b) Accept bequest of \$288,693.00 to the Lee County Port Authority Police Department for the benefit of the Lee County Port Authority Police Canine Detection Program. Authorize future expenditure of funds benefiting the Lee County Port Authority Police Canine Detection Program.  
**What action accomplishes:** Accepts bequest to benefit the Lee County Port Authority Police Canine Detection Program.  
**Term:** N/A  
**Funding Source:** N/A  
**Management Recommendation:** Approve.

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

- (c) Approve [Memorandum of Understanding](#) by and between Lee County Board of County Commissioners and Lee County Port Authority for Participation in the County's Benefits Plan.  
**What action accomplishes:** Continues participation in the County's Benefits Plan.  
**Term:** N/A  
**Funding Source:** General Airport Operating Revenues collected during the normal operation of the Southwest Florida and Page Field Airports, Lee County Port Authority Operating Funds 41200 and 41203  
**Management Recommendation:** Approve

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

- (d) Approve a ["Nonparticipating Airline Airport Use Permit" agreement with Mesaba Aviation, Inc.](#)  
**What action accomplishes:** Specifies terms and conditions for the airline's use of facilities and equipment at Southwest Florida International Airport.  
**Term:** N/A  
**Funding Source:** N/A  
**Management Recommendation:** Approve.

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

- (e) Approve exercise of an option to extend the Concession Agreement with Travelex Currency Services, Inc.  
**What action accomplishes:** Approves Authority's exercise of option to extend Concession Agreement.  
**Term:** N/A  
**Funding Source:** N/A  
**Management Recommendation:** Approve.

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

- (f) Authorize execution of a [contract with ESA Airports](#), in the amount of \$781,515.00, to prepare a voluntary airport noise study for the Southwest Florida International Airport.  
**What action accomplishes:** Provides for the preparation of a noise study for Southwest Florida International Airport in accordance with the Lee Plan.  
**Term:** N/A  
**Funding Source:** Passenger Facility Charges, Account VB5131541231.503190 "Other Professional Services"  
**Management Recommendation:** Approve.

PULLED FOR DISCUSSION

Development Deputy Executive Director Mark Fisher responded to a question by Commissioners Hall and Mann on the necessity of the expenditure and impetus for the study. Mr. Fisher pointed out that once this noise study is undertaken, it must meet strict FAA regulations, would look at all affected communities, and would take input from

all citizens. He continued that recommendations would be presented to the FAA for potential changes to flight patterns and over flight issues. Mr. Fisher did acknowledge that a less costly and less desirable contour study was an option. Following further discussion, Commissioner Manning moved approval, seconded by Commissioner Hall, called and carried with Commissioner Mann voting nay.

- (g) Authorize a [contract with Johnson Engineering, Inc.](#), in the amount of \$222,350.00, to prepare and submit a Lee County zoning amendment for the Southwest Florida International Airport (SWFIA).  
**What action accomplishes:** Prepares a zoning amendment for SWFIA consistent with the recently filed Comprehensive Plan Amendment Application endorsed by the Board.  
**Term:** N/A  
**Funding Source:** General Airport Operating Revenues collected during the normal operation of the Airport. Account No.WB5422741200.3190 Non-Departmental  
**Management Recommendation:** Approve

#### PULLED FOR DISCUSSION

Development Deputy Executive Director Mark Fisher responded to a question by Commissioners Hall that this was a competitive bid process and Johnson Engineering, being the only Environmental Planning Consultant on the Continuing Contracts List, was chosen. Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

AT THIS TIME, CHAIRMAN MANN BRIEFLY INTRODUCED THE NEWEST AIRPORTS SPECIAL MANAGEMENT COMMITTEE (ASMC) MEMBER ANU LACIS.

- (h) Approve a Memorandum of Understanding, between the Port Authority and Lee County, regarding the use of Conservation 2020 Lands for airport project mitigation; and endorse Airport Project 2020 Mitigation Request #1 for the I-75/RSW Access Roadway System.  
**What action accomplishes:** Establishes a process to restore Conservation 2020 Lands as airport project mitigation at 100% cost to the Port Authority and \$0 cost to Lee County.  
**Term:** N/A  
**Funding Source:** N/A  
**Management Recommendation:** Approve.

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

- (i) Approve, and authorize Chair to execute, a [Non-disturbance, Recognition and Attornment Agreement](#) recognizing sublease of the Page Field Commons retail space with Marshalls of MA, Inc.  
**What action accomplishes:** Allows Inland Western Fort Myers Page Field, LLC to proceed with the sublease to a new tenant.  
**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**

- (a) Approve a [“Fifth Amendment to Midfield Terminal Food and Beverage Concession Lease” with Host International, Inc.](#)  
**What action accomplishes:** Makes contract changes relative to Host's required midterm refurbishment of food and beverage concessions.  
**Term:** N/A  
**Funding Source:** N/A  
**Management Recommendation:** Approve.

A slide presentation was made by Host International, Inc., and Dan Shula of Shula's Bar and Grill on the new plans for the food and beverage concessions within Southwest Florida International Airport, anticipated to be complete by Thanksgiving 2011. Following response by Executive Director Bob Ball to the question on access to these restaurants by local patrons, Commissioner Judah moved approval, seconded by Commissioner Manning, called and carried.

### **CONVENE AS BOARD OF COUNTY COMMISSIONERS**

- (b) Approve Memorandum of Understanding by and between Lee County Board of County Commissioners and Lee County Port Authority for Participation in the County's Benefits Plan.  
**What action accomplishes:** Continues participation in the County's Benefits Plan.  
**Term:** N/A  
**Funding Source:** General Airport Operating Revenues collected during the normal operation of the Southwest Florida and Page Field Airports, Lee County Port Authority Operating Funds 41200 and 41203  
**Management Recommendation:** Approve.

FOR ACTION TAKEN, SEE THE [SPECIAL MEETING](#) OF THE BOARD OF COUNTY COMMISSIONERS.

### **RECONVENE AS BOARD OF PORT COMMISSIONERS**

### 5. **DEPARTMENTAL MATTERS**

No requests received.

### 6. **EXECUTIVE DIRECTOR**

No requests received.

### 7. **PORT ATTORNEY**

No requests received.

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

**HYACINTH CONTROL** – Aviation Deputy Executive Director Peter Modys responded to a question by Commissioner Hall that the Port Authority works in conjunction with the County's Hyacinth Control but would have to get back with an answer on the precise process.

**NEW ASMC MEMBER** – Commissioner Bigelow introduced his appointment and the newest member of the ASMC, Anu Lacis of Bonita Springs, and highlighted her aviation background. The Board welcomed Ms. Lacis who indicated she was looking forward to her new role.

There were no appointments offered by individual Commissioners.

### **COMMENTS FROM THE CHAIR OF THE AIRPORTS SPECIAL MANAGEMENT COMMITTEE**

Vice Chair Noel Andress asked the rationale for having Members of the ASMC present at Joint Port Meetings. Chairman Mann, in conjunction with other Board of Port Commissioners, indicated that attendance by

ASMC members, while voluntary, was vital to respond to Board questions on recommendations or decisions reached by the Committee.

**EXECUTIVE DIRECTOR ITEMS**

Executive Director Bob Ball provided an overview of his monthly report dated March 14, 2011, entitled "[Executive Director's Comments](#)" (copy on file in the Minutes Office).

**PORT ATTORNEY ITEMS**

Chief Port Attorney Greg Hagen had no items for discussion.

The Chairman adjourned the meeting at 10:30 a.m.

ATTEST:  
CHARLIE GREEN, CLERK

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Deputy Clerk

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[Chairman, Lee County Port Authority](#)