

JANUARY 11, 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

Tammara Hall, Chairwoman
Ray Judah
Frank B. Mann
A. Brian Bigelow (at 1:34 p.m.)
John E. Manning

AIRPORTS SPECIAL MANAGEMENT COMMITTEE

Dan Baggot, Chairman
Noel Address
Fran Myers
Joe Burgess

REGIONAL MEMBER(S)

Representing Charlotte County,
Brigadier General Rufus Lazzell (U.S. Army Retired)
Representing Collier County, Jeffrey D. Fridkin

ALSO ON FILE IN THE MINUTES OFFICE: [PROCUREMENT STATUS REPORT DATED DECEMBER 20, 2011](#); PROJECT SUMMARY REPORTS FOR [NOVEMBER](#) AND [DECEMBER 2010](#); [TOURIST DEVELOPMENT COUNCIL JANUARY 2011 UPDATE](#); [FLORIDA AIRPORT PASSENGER COMPARISON REPORT – 4Q FY 09/10](#); AND [MONTHLY FLIGHT AND SEAT COMPARISON REPORT](#).

The Chairwoman called the meeting to order at 1:30 p.m. The Invocation was given by Pastor John Adler, Sr., of Iona-Hope Episcopal Church, followed by the Pledge of Allegiance to the Flag.

ANNOUNCEMENTS

Chairman Hall extended a warm welcome to Milwaukee resident and long-term public official Michael Mayo, Sr., now serving as Milwaukee's 7th District Supervisor (equivalent to Lee County Commission office); and C. Barry Bateman, former Airport Director at Milwaukee's General Mitchell International Airport and current Airport Manager at Lawrence J. Timmerman Airport. Both gentlemen were in attendance to observe a Port Authority Meeting in progress.

PRESENTATIONS

SWEARING IN CEREMONY: – (Commissioner Bigelow arrived during the opening comments of this portion of the meeting.) Minutes Office Deputy Clerk Patricia Weseman performed the swearing-in ceremony for recently re-elected Commissioners Brian Bigelow, Tammy Hall, and John Manning.

ANNUAL REORGANIZATION - Minutes Office Deputy Clerk Patricia Weseman facilitated the Annual Reorganization of the Board. Commissioner Bigelow nominated Commissioner Mann for Chairman; and with no other nominations a voice vote was called with unanimous approval. Chairman Mann assumed the chair and designated Commissioner Manning as Vice-Chairman

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

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

No Consent Agenda items were pulled for discussion by individual Commissioners.

CONSENT AGENDA**1. COMMUNICATIONS****(a) ACTION REQUESTED/PURPOSE:**

Request the Board approve the Minutes for the following meetings of the Board of Port Commissioners:

November 8, and
November 23, 2010

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 to approve, 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) ACTION REQUESTED/PURPOSE:

Request the Board approve a Budget Amendment Resolution to the FY 2010-2011 Operating Budget for the issuance of the Lee County Airport Revenue Refunding Bonds, Series 2011A (AMT).

WHAT ACTION ACCOMPLISHES:

Allows for a Budget Amendment in the current year's budget to establish a new debt service fund for the issuance of the Lee County Series 2011A Airport Revenue and Refunding Bonds.

TERM: N/A

FUNDING SOURCE: N/A

MANAGEMENT RECOMMENDATION:

Approve.

Commissioner Hall moved to approve, seconded by Commissioner Manning, called and carried.
RESOLUTION NO.'s [PA-01-11-24](#) and [25](#)

(b) ACTION REQUESTED/PURPOSE:

Request Board award RFB #11-02, Purchase of Air Filters for the Lee County Port Authority, to the lowest responsive, responsible bidder, Tri-Dim Filter Corporation. The contract term is one year, beginning January 2011.

WHAT ACTION ACCOMPLISHES:

Provides for a new purchase agreement for air conditioning filters for the Southwest Florida International Airport Terminal Facility.

TERM:

One year, beginning in January 2011

FUNDING SOURCE:

Funds are available in account 412 4150 542280 46115, LCPA Maintenance Building Materials Fund.

MANAGEMENT RECOMMENDATION:

Approve

Commissioner Hall moved to approve, 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) ACTION REQUESTED/PURPOSE:

Request the Board approve the Actual Fiscal Year 2009-2010 Rates and Fees for Southwest Florida International Airport and any airline fee settlement, revenue sharing and coverage reimbursements to the airlines, as required by the Airline-Airport Use and Lease Agreement.

WHAT ACTION ACCOMPLISHES:

Allows for the timely recalculation of airlines rates and charges as outlined in the Airport Use Agreement.

TERM: N/A

FUNDING SOURCE:

General Airport Operating Revenues collected during the normal operations of the Airport, Fund 41200.

MANAGEMENT RECOMMENDATION:

Approve.

Administration Deputy Executive Director Benjamin Siegel provided detailed information on the differences seen in actual expenses and revenues versus projected figures, noted determining factors behind the Rates and Fees; and responded to additional Board questions. Commissioner Manning moved approval, seconded for further discussion by Commissioner Hall. Following brief dialog, the motion called and carried.

CONVENE AS BOARD OF COUNTY COMMISSIONERS

(b) ACTION REQUESTED/PURPOSE:

Request the Board approve a Resolution approving the issuance of Airport Revenue Refunding Bonds to refund the remaining portion of the \$291,155,000.00 Lee County Series 2000A (AMT) Airport Revenue Bonds, and to authorize the payment of the related costs of issuance.

WHAT ACTION ACCOMPLISHES:

Allows for the refunding of the remaining portion of the 2000A Series Airport Revenue Bonds to take advantage of lower interest rates.

TERM: N/A

FUNDING SOURCE: N/A

MANAGEMENT RECOMMENDATION:

Approve.

SEE MINUTES OF THE BOARD OF COUNTY COMMISSIONERS' SPECIAL MEETING OF JANUARY 11, 2011 FOR FULL ACTION TAKEN.

RECONVENE AS BOARD OF PORT COMMISSIONERS

(c) ACTION REQUESTED/PURPOSE:

Request the Board approve a Concurring Resolution approving the issuance of Airport Revenue Refunding Bonds to refund the remaining portion of the \$291,155,000.00 Lee County Series 2000A (AMT) Airport Revenue Bonds, and to authorize the payment of the related costs of issuance.

WHAT ACTION ACCOMPLISHES:

Allows for the refunding of the remaining portion of the 2000A Series Airport Revenue Bonds to take advantage of lower interest rates.

TERM: N/A

FUNDING SOURCE: N/A

MANAGEMENT RECOMMENDATION:

Approve

Following brief comments from Administration Deputy Executive Director Benjamin Siegel, Commissioner Hall moved approval, seconded by Commissioner Judah, called and carried.

[RESOLUTION PA-11-01-26](#)**(d) ACTION REQUESTED/PURPOSE:**

Board requested discussion regarding Continuing consultant contracts.

WHAT ACTION ACCOMPLISHES:

Provides Board direction regarding Continuing consultant contracts.

TERM: N/A**FUNDING SOURCE:** N/A**MANAGEMENT RECOMMENDATION:** N/A

Referencing several portions of the [Agenda backup information](#) (copy on file in the Minutes Office), Development Deputy Executive Director Mark R. Fisher reviewed the primary points of contention surrounding this item and summarized possible options for resolution. Commissioner Judah moved to approve staff's recommendation (Option #1), which failed due to lack of a second. Following a short discussion, Commissioner Manning moved approval of Option # 3 amended to expand the number of contracts from 3 to 8, seconded for discussion by Commissioner Mann. During the ensuing dialog between the Board and Committee members, several of the Board members expressed discomfort with that choice, predominantly due to impacts of having an increased number of contracts. Following statements from Committee members Baggot and Andress that the Committee's preferred position was no change to the process, Commissioner Manning withdrew his motion. Commissioner Hall then moved to approve Option #1, amended to reduce the 5 year contract term length to 3 years (with no option for extension) and to expand the number of continuing contracts from 3 to 6, seconded for discussion by Commissioner Manning. After further discussion Commissioner Hall suggested a dedicated workshop on the subject and withdrew her motion. Commissioner Bigelow moved to approve Option #2 amended to include expanding the number of continuing contracts from 3 to 8, seconded for further discussion by Commissioner Mann. Additional discussion regarding the merits of leaving the policy in place for further in-depth discussion via a Joint Workshop resulted in Commissioner Bigelow withdrawing his motion. Commissioner Hall moved to approve leaving the current policy in place and scheduling a Joint Workshop between the ASMC and the BoCC for discussion dedicated to further examination of the policy itself prior to any other contracts being released, seconded by Commissioner Judah, called and carried.

(e) ACTION REQUESTED/PURPOSE:Request the Board authorize execution of a contract between the Lee County Port Authority and [Owen-Ames-Kimball Company](#) for General Construction Management Services (acting as the General Contractor).**WHAT ACTION ACCOMPLISHES:**

Provides a Continuing contract for Construction Manager/General Contracting services.

TERM:

Commences upon Board approval and ends on January 10, 2014, or the date the Construction Manager/General Contractor completes, and the Authority accepts, any work commenced by a Task Authorization issued before January 10, 2014, whichever occurs last.

FUNDING SOURCE: N/A**MANAGEMENT RECOMMENDATION:**

Approve.

Commissioner Manning moved approval, seconded for discussion by Commissioner Mann. After brief dialog and procedural guidance from Chief Assistant Port Attorney Gregory S. Hagen, concurrence was reached on changing the term of the contract to one year. The maker and seconder concurred and the motion was called and carried as amended.

5. DEPARTMENTAL MATTERS

No requests received.

6. EXECUTIVE DIRECTOR

No requests received.

7. PORT ATTORNEY

No requests received.

COMMISSIONERS' ITEMS/COMMITTEE APPOINTMENTS

PILOT PARKING FEE – Commissioner Hall mentioned that she had received several requests to look into the reasoning for higher parking fees being charged to pilots who are residents here in Southwest Florida, but not ‘based’ here at RSW by the Airlines employing them. Executive Director Robert M. Ball stated they were categorized as ‘non-based aircrew’ by the Airline, not the Port Authority; and that they were paying the non-employee rate of \$2.00 per day. Airports Special Management Committee Chairman Baggot offered to look into the matter.

Chairman Mann thanked the ASMC for their efforts and patience on the recent contentious issues that have been brought before them.

There were no appointments made by individual Commissioners.

COMMENTS FROM THE CHAIR OF THE A.S.M.C.

The Chairman of the Airports Special Management Committee had no items for discussion.

EXECUTIVE DIRECTOR ITEMS

Port Authority Executive Director Robert M. Ball provided an overview of his monthly report dated January 11, 2011, entitled “[Executive Director’s Comments](#)” (copy on file in the Minutes Office).

PORT ATTORNEY ITEMS

Chief Assistant Port Attorney Gregory S. Hagen had no items for discussion.

ADJOURN

After expressing additional Board appreciation for the efforts of Attorney Hagen and Development Executive Deputy Director Mark Fisher, the Chairman adjourned the meeting at 2:50 p.m.

ATTEST:
CHARLIE GREEN, CLERK

Deputy Clerk

[Chairman, Lee County Port Authority](#)