

**MINUTES OF THE REGULAR MEETING OF THE
SANFORD AIRPORT AUTHORITY
TUESDAY, FEBRUARY 2, 2010**

PRESENT: **G. Geoffrey Longstaff, Chairman**
 Tim Donihi, Vice-Chairman
 William T. Litton, Secretary/Treasurer
 Whitey Eckstein
 William R. Miller
 Stephen P. Smith
 Brindley B. Pieters
 John A. Williams
 Kenneth Wright, Airport Counsel
 Brett R. Renton, Airport Counsel
 Commissioner Dick Van Der Weide, County Liaison

ABSENT: **David L. Cattell**
 Commissioner Jack T. Bridges, City Liaison

STAFF PRESENT: **Larry A. Dale, President & CEO**
 Diane Crews, Vice President of Administration
 Bryant W. Garrett, Vice President of Finance
 George Speake, Vice President of Operations & Maintenance
 Diana M. Muñiz-Olson, Executive Secretary

OTHERS PRESENT: **Bill Brooks, Wilbur Smith Associates**
 Krysty Carr, S.E. Ramp Development
 Tracy Forrest, Winter Park Construction
 Larry Gouldthorpe, TBI
 Robert Lacey, Gomez Construction Co.
 Geoff Lane, Starport
 Al Nygren, O.R. Colan Associates
 Jack Reynolds, JRA, Inc.
 Timothy Robles, City of Sanford Fire Department
 David Rodd – McKee Construction Co.
 Sandeep Singh, AVCON
 Kevin Spolski, Spolski Construction
 Lori Steiner, Wilbur Smith Associates
 James Thompson
 Bobby Von Herbulis – McKee Construction Co.
 Maverick Von Herbulis – McKee Construction Co.
 Bob Tunis, City of Sanford Economic Dev. Director

1. INTRODUCTION OF GUESTS AND CALL TO ORDER

The meeting was called to order at 8:35 a.m.

Chairman Longstaff welcomed the Board's new County Liaison, Commissioner Dick Van Der Weide. He also informed the Board of the recent passing of Glenda Webb Cattell (Board Member Cattell's wife) and Joseph Liberatore (Frank Liberatore's brother).

2. ADVERTISEMENT OF MONTHLY MEETING

Copies attached.

3. APPROVAL OF MINUTES OF THE REGULAR MEETING HELD ON JANUARY 5, 2010

Motion by Board Member Smith, seconded by Board Member Williams, to approve the minutes from the regular meeting held on Tuesday, January 5, 2010. Motion passed.

President Dale stated the minutes from October, November, and December 2009 showed errors in regards to the lawsuits against HTA. He clarified HTA is involved in two lawsuits; the third lawsuit involves the parking garage for the waterproofing of the garage and is against ACI and Moss Waterproofing. The minutes were corrected as follows:

October 5, 2009 Minutes

8. COUNSEL'S REPORT, second paragraph, second sentence, page 8

Motion by Board Member Miller, seconded by Board Member Litton, to file suit against ~~HTA~~ ACI, Moss Waterproofing, and the bonding company for reimbursement in regards to the parking garage waterproofing repair.

November 3, 2009 Minutes

7. COUNSEL'S REPORT, first paragraph, page 5

The suit against ~~HTA~~ ACI and Moss Waterproofing for reimbursement in regards to the parking garage waterproofing repair will be filed the day of the meeting or the following day.

December 1, 2009 Minutes

5 COUNSEL'S REPORT, second paragraph, page 5

In regards to the parking garage waterproofing suit against ~~HTA~~ ACI and Moss Waterproofing, Counsel is waiting on ~~HTA~~ all parties to file their response to the complaint.

Motion by Board Member Eckstein, seconded by Board Member Miller, to correct the October 2009, November 2009, and December 2009 minutes. Motion passed.

Chairman Longstaff commended the staff on the work they have done in the last two weeks. The job the staff did was second to none. The negative comments from the reporters were unfounded; the Airport staff was just protecting the public. Effort by staff was above and beyond the call of duty. He thanked the staff for their work during Operation Haiti Relief.

4. AUDIT PRESENTATION – McDirmit Davis & Co., LLC

Kelly Leary, from McDirmit Davis & Co., LLC, presented the Financial Statements for the years ended September 30, 2009 and 2008. There was a significant increase of net assets, and a decrease in debt. Operating revenue went down; however, operating expenses went down as well. Operating income did not change much. The compliance reports show the Authority is in compliance. There were no significant findings.

Board Member Eckstein questioned if there were any recommendations concerning the Airport; were there any questions on internal controls. Ms. Leary clarified the Management Letter started on page 39, and the recommendation was on page 41.

Bryant Garrett explained the recommendation was made based on the fact that somebody could create a mock invoice and omit it from the system afterwards; that person could collect the check for personal use and it would not show. To avoid this, the person who does account receivables will not collect the mail. Effective March the sorting of mail will be transferred to Jennifer Taylor, the Project Manager. President Dale clarified there has not been an issue, the auditors just wanted to caution the Authority. Ms. Leary assured the Board this solution meets their standard and noted that Mr. Garrett has a great staff and the Audit went very smoothly.

Board Member Donihi congratulated Bryant Garrett for a job well done; Mr. Garrett had a (financial) plan and has gotten the Authority where it is now (financially).

Motion by Board Member Donihi, seconded by Secretary/Treasurer Litton, to accept Audit Report/Financial Statements and Management letter (inclusive of solution to the recommendation) for the years ended September 30, 2009 and 2008. Motion passed.

5. PRESIDENT'S REPORT

President Dale reported on the following:

- A. Extension of Runway 9L-27R – The Benefit Cost analysis was approved and the Environmental Assessment and the Finding of No Significant Impact were received. The application for the \$8 million land acquisition grant and the \$1.2 million for the

design-planning grant were re-submitted. President Dale is anticipating receipt on May or June; however, Jack Reynolds had told President Dale that in the FAA Southern Region Communication Conference they discussed the fact that anything that relies heavily on discretionary funding was more likely to be a Part B (receipt expected between August and October).

- B. Runway 18-36 Rehabilitation – Project is complete with the exception of tortoise removal. Project turned out very well. President Dale distributed the aerials.
- C. Improvements for the upgrade for airfield signage – This is a force account project funded with a \$1,060,253.00 grant. The project approximately 75% done and is expected to be completed in March 1, 2010..
- D. Cargo Building Buildout for TSA – The building buildout is done. The final inspection was done Friday. The Certificate of Occupancy is expected to be received the day of the meeting. The buildout will receive approximately \$2 million in equipment.
- E. Commercial Aviation Hangar – The St. Johns River Water Management District permit has been received. The Request for Proposal was published last November. The due date was extended from December 15, 2009 to January 15, 2010. Ten proposals were submitted. The selection committee included Bill Miller as the Board representative, President Dale, Diane Crews, and Bryant Garrett. The submittals were narrowed down to four and presentations were made on the January 27, 2010. The project completion is 330 days. Recommendation from the committee will be discussed later in the meeting.
- F. Attorneys' Fees – Distribution and discussion of January's attorneys' fees.
- G. Legislative Priorities – Staff and some board members will attend the FAC Annual Summit the day after the meeting. The Board's priorities are limited to the widening of SR 46, to continue the purchase of the Right-of-Way, and placement of construction on the FDOT's 5-year Workplan. Staff will meet with various legislators during the day, then return at night.
- H. Bldg. 310 – Numbers dropped a little bit, down to 70% occupancy, but 34 new Chinese students will arrive, which will bring it up to 94% occupancy.
- I. City and County appointments – Jack Bridges was reappointed City Liaison and Dick Van Der Weide was appointed County Liaison. Randy Jones was reappointed as Commission's Representative and Antonia Gerli was reappointed Staff Representative for SANAC.
- J. City's Welcome Sign – The City needs easement for electrical sign. The electrical will go under the road and down to the breaker box at the end of the road. Motion by Board Member Pieters, seconded by Secretary/Treasurer Litton, to approve easement

for electrical connections at Marquette Avenue and Red Cleveland Road. Motion passed.

- K. Operation Haiti Relief/Operation Safe Return – President Dale briefed the Board on Operation Haiti Relief/Operation Safe Return. The operation started on January 16th when President Dale received a call at 2 a.m. At first he was told the planes would come here, then was told they would go to Patrick Air Force Base and McDill Air Force Base instead. Friday night (January 15th) he received a call to see if the Airport could handle it. He mobilized all units and at about 9 a.m. Saturday the Command Center was fully operational. The Red Cross was fully mobilized and deployed. Only one flight was received Saturday; however, flights started to increase on Sunday.

In the middle of the process, orphans started arriving. Prospective parents came to the Airport. Intelligence (outside of the emergency response team) has been lacking and confusing. He did not know the Department of Children and Families (DCF) was at the Airport on behalf of the Department of State. He finally got it worked out with Health and Human Services (HSS) to report to the Command Center. He could not get information on how many passengers were arriving, their nationality or if they had injuries. In the early stages there was no fuel in Haiti and some aircraft were diverted somewhere else, or they were diverted here. Some people were not telling the people at the airport in Haiti that they had injuries; they were scared they would be left behind.

Approximately 10,000 passengers have come in. Lynx has had buses working 24 hours a week for almost 3 weeks. The entire local team is wonderful; we have an excellent emergency response team.

Representative Scott Plakon came that Sunday, when prospective adoptive parents arrived at the Airport. One couple received their five-month old, but the three-year old daughter was left behind. Two boys were also left behind. With the assistance of the military in Haiti, Diane Crews and Dick Harkey were able to get the girl in. Since the previous weekend, Ms. Crews has been working to get the two boys out. During the meeting, Ms. Crews handed President Dale a note stating the two boys left behind would arrive the day of the meeting.

President Dale stated most of the press coverage has been pleasant. Diane Crews has worked very hard with DCF and Customs to provide access to the media. The only negative incident has been with the reporter from the LA Times. Board Member Eckstein questioned the incident. President Dale clarified he was the Incident Commander and a certified law enforcement officer. He had sent another officer into the plane first to ask the reporters to get off the bus. Chairman Longstaff clarified a TSA officer and the police officer went in first, and President Dale was the third person to go on board the bus. The Authority had intelligence briefings from other airports regarding the media and falsification of documents. The reporters refused the request of TSA and the police officer. Ken Wright clarified TSA has no arrest power; it was clearly President Dale's responsibility.

Mr. Wright stated partners of his in Miami have received compliments that were given to this Airport from the command done here, as well as Tampa. Comments were highly complimentary of how this operation was handled. It is an arrestable offense to wear the media badge without being escorted; however, they were never arrested.

President Dale showed the chart with the number of operations. Incident command works well locally, but the federal level has refused to be cooperative. The Airport has incurred approximately \$100,000.00 in damages. He has notified the State that the Airport will not be able to continue to do this. The Airport is spending about \$25,000.00 a day. Money is coming from our reserves and others in Seminole County.

The Authority has submitted a request for damage. It has taken a toll on the Airport, staff, facilities, and emergency response team. The problem is that you never know when passengers are coming in; staff gets ready for them and the planes are empty; they are not doing the soul reports.

President Dale stated it has been a logistical nightmare, but it has been very rewarding to see the children united with their adoptive parents, and that has made it all worth while.

A representative from Senator LeMieux's office was here as well as Congresswoman Kosmas.

Jack Reynolds stated the Airport was recognized twice by the FAA Regional Administrator, Doug Murphy, at the recent FAA Communication Conference for their efforts here. President Dale commended Larry Gouldthorpe and staff for their work during Operation Haiti Relief.

Board Member Eckstein called for a vote of confidence for President Dale, to affirm that the Board stands behind his actions. Following discussion, motion by Board Member Eckstein, seconded by Board Member Donihi, to reflect that the Board supports the actions of President Dale, and supports his efforts to close down the Emergency Operations Center (EOC). Motion passed.

- L. Insurance requirements for buses – It was discovered most airports require \$1 million in coverage except for Miami. George Speake stated apparently the requirement of \$5 million goes back to 10 years, the standard at the time. Other airports started dropping it down recently. Board Member Smith stated he had questioned if there was a requirement on the Authority's insurance. It was clarified there are no requirements. Motion by Board Member Williams, seconded by Board Member Smith, to reduce the insurance requirement from \$5 million to \$1 million for busses only. Motion passed.

M. FAC Annual Summit meetings – President Dale discussed the schedule of meetings for the Tallahassee visit.

6. COUNSEL'S REPORT

Kenneth Wright will be going to the FAC Annual Summit and wanted to say how proud he was to represent the airport.

In regards to Operation Haiti Relief, the commander of the National Guard passed a compliment about the Airport to a person known by Mr. Wright.

Mr. Wright distributed a memo to remind the Board of the Sunshine Law. Board members can call Counsel or President Dale with questions. Communication between members can only be one-way.

Mediation with HTA for both lawsuits, had to be rescheduled due to scheduling issues, to February 16, 2010.

Chairman Longstaff questioned if there were any active eminent domain cases. Counsel clarified there were no eminent domain pending at this time. President Dale stated offers will be made on some houses.

7. TBI REPORT

TBI President Larry Gouldthorpe commended President Dale and his staff for their work during Operation Haiti Relief. The duration and intensity of this emergency response is really unique and the staff deserves all the credit they can get. He then reported on the following:

A. Monthly Statistics for January 2010

- i. UK traffic total
January 2010 – **4,553** passengers
- ii. International traffic total
January 2010 – **6,565** passengers
- iii. Domestic traffic total
January 2010 – **92,643** passengers
- iv. Transit traffic total
January 2010 – **7,076** passengers
- v. Total traffic
January 2010 – **106,264** passengers

- vi. Year-to-date traffic
YTD 2010 – **1,711,619** passengers
- vii. Percentage
UK traffic is down 30% compared to January 2009. Domestic traffic is up 5% compared to January 2009. Total traffic is down 9% compared to 2009.

These numbers did not include the evacuees. If the numbers had reflected traffic from Operation Haiti Relief, an additional 9,000 passengers would increase the total to 115,704 passengers, with an 18% increase in traffic.

B. Airlines/Tour Operators Update

- i. Cargo – Business is almost non-existent.
- ii. Allegiant – The relocation of the 10 cities started the day before the meeting with Knoxville, TN and Lexington, KY. All ten cities will be transferred by the beginning of March as follows: February 8th - Allentown, PA and Greenville, SC; February 12th - Grand Rapids, MI; February 15th - Springfield, MO and Tri-Cities, TN; February 16th - Huntington, WV; March 4th - Youngstown, OH; and March 5th - Des Moines, IA. These changes will have a vast impact on our traffic.

Mr. Gouldthorpe stated the Airport has made a product for the last 15 years for its convenience. He is planning on meeting with Maury Gallagher and will try to get them to use more diplomatic wording. The press releases are creating the perception that the airline is moving for convenience. President Dale stated he has received messages from people that say they like Allegiant, but that they are flying out of here for the convenience of the Airport. Board Member Donihi suggested data was gathered to compare. President Dale clarified the airline knows the figures. Mr. Gouldthorpe stated he would appreciate it if the airline did not do it at the Airport's expense.

- iii. UK Traffic – UK traffic for summer 2011 is starting to show positive feedback. Greg Dull will go to the UK and visit an airline in the first part of March.

8. LIAISON REPORTS

City of Sanford

None.

Seminole County

No report at this time. Commissioner Van Der Weide stated he was glad to be part of the Airport.

9. CHAIRMAN'S REPORT

None

10. CONSENT AGENDA

- A. Consider approval of Addendum A to Lease No. 2008-35 with CONIFER, LLC for Building No. 515-8/9, located at 2800-2806 South Mellonville Avenue (Warehouse/Office).

Staff recommends approval of Addendum A to Lease No. 2008-35 with CONIFER, LLC for Building No. 515-8/9, located at 2800-2806 South Mellonville Avenue (Warehouse/Office). Addendum A extends the lease term for one (1) additional year, effective January 1, 2010. The annual rental rate is \$15,435.00; the monthly payment is \$1,286.25, exclusive of taxes.

- B. Consider approval of Addendum A to Lease No. 2008-40 with FIXIT, LLC for Building No. 318, located at 1650 Hangar Road (Warehouse/Office).

Staff recommends approval of Addendum A to Lease No. 2008-40 with FIXIT, LLC for Building No. 318, located at 1650 Hangar Road (Warehouse/Office). Addendum A extends the lease term for one (1) additional year, effective December 1, 2009. The annual rental rate is \$9,241.20; the monthly payment is \$770.10, exclusive of taxes.

- C. Consider approval of Addendum I to Lease No. 2000-14 with WHISPER JET, INC. for Building No. 410, located at 1220 30th Street (Warehouse/Office).

Staff recommends approval of Addendum I to Lease No. 2000-14 with WHISPER JET, INC. for Building No. 410, located at 1220 30th Street (Warehouse/Office). Addendum H extends the lease for one (1) additional year, effective February 1, 2010. The building consists of 9,100 square feet, at \$4.79 per square foot. The annual rental rate is \$43,589.00; the monthly payment is \$3,632.42, exclusive of taxes.

- D. Consider approval of Addendum G to Lease No. 2003-07 with WHISPER JET, INC. for Building No. 401-A, located at 1173 29th Street (Warehouse/Office).

Staff recommends approval of Addendum G to Lease No. 2003-07 with WHISPER JET, INC. for Building No. 401-A, located at 1173 29th Street (Warehouse/Office). Addendum G extends the lease term for one (1) additional year, effective February 1, 2010. The building consists of 6,300 square feet, at \$4.79 per square foot. The annual rental rate is \$30,177.00; the monthly payment is \$2,514.75 exclusive of taxes.

- E. Consider approval of Resolution No. 2010-01 authorizing the continuation of the Airport Customer Facility Charge.

Moved to Discussion Agenda.

- F. Consider approval of Resolution No. 2010-02 agreeing to the terms of the \$2.5 million loan from CNL Bank and the use of the loan proceeds to design, engineer, and construct a Large Commercial Aviation Hangar (for AVOCET).

Moved to Discussion Agenda.

- G. Consider approval of Resolution No. 2010-03 approving the terms of a Line of Credit Facility from CNL Bank in the amount of \$1 million.

Moved to Discussion Agenda.

- H. Consider the one (1) year extension of the "Agreement for Operation of Taxicab Services", with Yellow Cab Company of Orlando, Inc. d/b/a Mears Transportation Group.

In April of 2006, the Sanford Airport Authority signed a contract with Yellow Cab Company of Orlando, Inc. (d/b/a Mears Transportation Group), for operating the airport taxicab services on a semi-exclusive basis. The initial term of the contract was for three (3) years, beginning April 21, 2006 and ending April 20, 2009. The contract also provides for three (3) additional one (1) year periods, providing the Authority gives 60 days written notice prior to the expiration of the then-current term.

Staff is pleased with the service to date provided by Yellow Cab Company of Orlando, Inc. and we believe that the customers of the Orlando Sanford International Airport are receiving a quality product. Yellow Cab Company of Orlando, Inc., continues to operate clean, well maintained vehicles, which are operated by professional, courteous drivers.

During the February 3, 2009 meeting, the Board approved the first one (1) year extension, beginning on April 21, 2009 and ending April 20, 2010. Staff recommends that the Airport Authority extend the contract by one (1) year as allowed in Article 2.2 of the existing contract. The term of the second one (1) year extension will begin on April 21, 2010 and will end April 20, 2011.

Staff recommends that the base "Monthly Privilege Fee" to be paid by Yellow Cab Company of Orlando, Inc., be set at \$1,800.00. This is a \$100.00 per month increase over the amount paid in the previous one-year term. The "Annual Reconciliation" of the "Monthly Privilege Fee", shall be calculated using the same formula found in Article 3.1.3 of the contract. Using this formula, the monthly fee for this term will be \$1,656.00.

All other Articles of the current contract will remain in force as stated.

- I. Sanford Aviation Noise Abatement Committee (SANAC) Chairman Designation.

Article IV, Section A, of the Sanford Aviation Noise Abatement Committee (SANAC) Bylaws state that the Chairman must be designated annually by the chairman of the Authority to hold office for a term of one (1) year.

Mr. Wes Pennington has served as the Chairman of SANAC for many years and continues to do a great job leading this committee.

Staff recommends redesignation of Mr. Wes Pennington as the Chairman of SANAC.

Motion by Board Member Williams, seconded by Secretary/Treasurer Litton, to approve Consent Agenda Items A through I, excluding Items, E, F, and G. Motion passed.

11. DISCUSSION AGENDA

- A. Selection Committee Recommendation for Bid Award to construct Commercial Aviation Hangar (for AVOCET). (Discussed out of order after Discussion Agenda Items B, C, and D).

President Dale briefed the Board on the selection process. The Selection Committee consisted of Board Member Miller, President Dale, Diane Crews, Bryant Garrett. The committee analyzed all of the entries individually, and short-listed them to four teams: Gomez Construction Co.; McKee Construction Co.; Spolski Construction, Inc.; and The Collage Companies. Presentations were done by each company individually. The committee then reviewed the four top listed firms and critiqued them on several different aspects: crane capability, minimum square footage, fire suppression system for fueled aircraft, ability to meet time schedule, quality of previous similar work, ability to meet bonding requirement, previous airport experience, proximity to airport, and price. Companies were ranked from 0 to 4 as follows: 0 non-responsive, 1 marginal; 2 acceptable; 3 exceeds acceptable; and 4 outstanding. President Dale distributed the evaluation forms. The price listed included the fire suppression system; McKee Construction had to adjust their original bid of \$4,424,386.00 to include the system. All four applicants are qualified; their capabilities are excellent; their financials exceed expectations; all locations are acceptable; all meet minimum square footage. Quality of previous similar work was weighted towards McKee Construction and Spolski Construction not only for work at the Airport but also at Orlando International Airport. The Collage Companies has a good reputation and backed it up too; Gomez Construction did not have a lot of airport experience. The Collage Companies was the only one that presented a tension membrane hangar. The project was first presented as a membrane hangar, thinking it would be more economic. Addendum A was sent out giving the option of a regular hangar.

Chairman Longstaff questioned how the committee came up with the numbers. President Dale clarified each members' rating is subjective, everything was taken into consideration. Board Member Pieters questioned if the companies submitted their own schedules. President Dale clarified that yes they did. The companies had to qualify manpower to meet the design. Board Member Eckstein stated it is really too bad that some parts of the project cannot be portioned and issued to various parties. President Dale stated the committee tried to be as fair as possible, but the price is the determining factor. The question is whether the Board wants to have the hangar for fueled aircraft only or if it wants a fire suppression system for everybody. It is up to the Board to remove the fire suppression system from the criteria. The foam system will not work in a metal building with a fueled aircraft; the metal

system requires the deluge system and sprinkler system. The membrane hangar only requires the foam system. McKee Construction had contacted Avocet and found out they did not plan to hangar fueled aircraft and they submitted a price for the sprinkler system only. All other companies had already included the fire suppression system for fueled aircraft. Board Member Donihi questioned if each person in the committee ranked the companies in order. President Dale clarified each individual gave the companies 0-4 on each category. None of the members knew what the other voted; then the numbers were tallied up to get a total for each company.

Chairman Longstaff read the rankings as follows: 1st Spolski Construction, Inc. with 118 points and a bid price of \$4,787,000.00; 2nd McKee Construction Co. with 103 points and a bid price of \$5,400,031.00 (inclusive of added \$975,645.00 fire suppression system estimate); 3rd The Collage Companies with 91 points and a bid price of \$5,727,767.00; and 4th Gomez Construction Co. with 76 points and a bid price of \$5,297,000.00.

Board Member Miller questioned the benefits of the deluge system. President Dale clarified if another tenant (who did not defuel) occupied the hangar, it would suck the waterline dry if the tank capability was not there. The price is inclusive of the tanks.

President Dale stated these companies put their heart and soul into this project and it is always a tough decision. Commissioner Van Der Weide questioned if President Dale felt comfortable with the rankings. President Dale stated he felt comfortable the committee did their best, but price is the determining factor. The price ranking was done by percentage. Board Member Pieters noted it just so happens that the overall ranking co-exists with the lowest price. President Dale clarified the price was given for the Board's information. President Dale stated they were given 90 days for design, 220 days for construction, and 30 days for final close out. All of the companies stated they could exceed that schedule.

Motion by Board Member Williams, seconded by Secretary/Treasurer Litton, allowing President Dale to negotiate the contract with the 1st ranking company (Spolski Construction); if a contract is not agreed upon, President Dale will negotiate a contract with the next company (in ranking order – 2nd McKee, 3rd Collage, 4th Gomez) until an agreement is reached. Motion passed.

Chairman Longstaff stated it was very nice to see four great contractors in/near Sanford taking interest in the Airport.

- B. Consider approval of Resolution No. 2010-01 authorizing the continuation of the Airport Customer Facility Charge (Discussed out of order before Discussion Agenda Item A).

On December 5, 2006 the Board adopted Resolution 2006-09, imposing an Airport Customer Facility Charge (CFC) as a user fee on all rental car transactions by each rental car company (whether onsite or offsite) doing business with the Sanford Airport Authority. The CFC became effective on February 1, 2007 at a fee not to exceed \$5.50 on each rental car transaction with respect to Retail Contract Customers and became effective on January 1, 2008 at a fee not to exceed \$5.50 on each rental car transaction with respect to

Wholesale Contract Customers. The established rate of the Airport Customer Facility Charge was to remain in effect until December 31, 2010.

On December 1, 2009, due to the current state of the economy and the ongoing need for upgrades to airport facilities, the Board agreed to continue with the Airport Customer Facility Charge at the established rate beyond December 31, 2010. This resolution is needed to clarify that the SAA Board authorization to collect the CFC from those car rental companies doing business at the Orlando Sanford International Airport exists into perpetuity and does not expire on any set date. However, although the rate of each Customer Facility Charge can change, it will be set at \$5.50 for a five-year period beginning December 31, 2010 and ending December 31, 2015. This ensures to CNL Bank that the collection authority and rate will not be reduced or eliminated during the construction time period or the first five-year time period of the Loan for a Large Commercial Aviation Hangar (for AVOCET).

Staff recommends approval of Resolution No. 2010-01.

President Dale briefed the Board on Resolution 2006-09 and clarified the agreement had not expired. CNL bank wanted the Authority to pledge the CFCs for the Large Commercial Aviation Hangar project. Staff recommended the Board to keep the established rate of \$5.50 beyond 2010 or until the Board decides to abolish it. The agreement will extend it for 5 years, after that the Board can analyze the fee for the life of the loan. The bank requested that the fee not be decreased without their consent. Chairman Longstaff requested the Finance Department bring it to the Board's attention 6 months before the term expires. Motion by Board Member Smith, seconded by Board Member Donihi, to approve Resolution 2010-01. Motion passed.

- C. Consider approval of Resolution No. 2010-02 agreeing to the terms of the \$2.5 million loan from CNL Bank and the use of the loan proceeds to design, engineer, and construct a Large Commercial Aviation Hangar (for AVOCET).

Staff recommends approval of Resolution No. 2010-02 agreeing to the terms of the \$2.5 million loan from CNL Bank and the use of the loan proceeds to design, engineer, and construct a Large Commercial Aviation Hangar (for AVOCET), consisting of a hangar of approximately 44,000 square feet, an attached office of approximately 5,000 square feet and a maintenance shop of approximately 4,000 square feet.

Staff recommends approval of Resolution No. 2010-02.

Chairman Longstaff clarified that finally the terms had been worked out. The bank is taking an assignment of the underlying lease and the CFCs; hopefully in the future, the Authority can ask the bank to release the CFCs as a form of collateral. Bryant Garrett clarified the rate will lock in the day after the meeting and that he did not expect any fluctuations. Also, there is no prepayment penalty. The Authority will have to pay 100% at the beginning: 50% will be paid with the loan and the rest with reserves. Then the FDOT grant will reimburse the Authority. Board Member Pieters questioned how long will it take to recover all the money spent. Mr. Garrett stated the Authority is covering its cost plus margin; the belief is that the building will not require a lot of maintenance. President Dale stated this will be cross-collateralized with the next resolution for \$1 million line of credit. Motion by Board

Member Williams, seconded by Board Member Eckstein, to approve Resolution No. 2010-02. Motion passed.

President Dale clarified this does not go against the debt of the Authority or the City. No Board member or staff has any liability on it.

- D. Consider approval of Resolution No. 2010-03 approving the terms of a Line of Credit Facility from CNL Bank in the amount of \$1 million (Discussed out of order before Discussion Agenda Item A).

Staff recommends approval of Resolution No. 2010-03 accepting the terms of a Line of Credit Facility in the amount of \$1 million extended to the Sanford Airport Authority by CNL Bank; and authorization for Chairman Longstaff to approve and execute all documents deemed necessary in connection with the Facility based on advice of the Chief Financial Officer and General Counsel that such documents are consistent with this Resolution and are within the parameters set forth in the Commitment Letter.

Staff recommends approval of Resolution No. 2010-03.

Bryant Garrett clarified this will be a new Line of Credit (LOC). The LOC will help with cash flow regarding the Large Commercial Hangar project and will remain in place in perpetuity. There is a non-use fee of \$3,000.00 or if the interest paid exceeds \$3,000.00 there is no non-use fee. The LOC can be terminated at any time by either party. Motion by Board Member Eckstein, seconded by Board Member Donihi, to approve Resolution No. 2010-03. Motion passed.

President Dale clarified he anticipated the closing cost fees for both the Line of Credit and the \$2.5 million loan for construction of the Commercial Hangar will be \$45,000.00 to \$50,000.00.

12. COMMENTS FROM THE PUBLIC

Tracy Forrest congratulated President Dale on his coming birthday.

Board Member Miller discussed the letter to editor published on the Orlando Sentinel regarding the incident with the two reporters and President Dale. He was present the day after the event took place and witnessed the stress President Dale experienced for the wrong the lady had committed. He thanked Counsel and the City Attorney for writing to the Los Angeles Time's editor.

Board Member Donihi requested that those present host a table or reserve a seat for the Teal Magnolia Luncheon, to benefit the Ovarian Cancer Society.

13. OTHER BUSINESS

None.

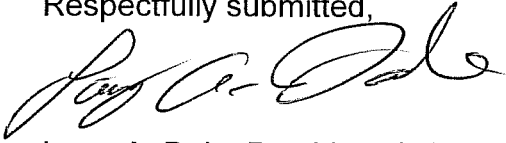
14. REMINDER OF FAC ANNUAL SUMMIT TRIP (FEBRUARY 3, 2010)

15. REMINDER OF NEXT BOARD MEETING (MARCH 2, 2010)

16. ADJOURNMENT

There being no further business, the meeting was adjourned at 11:00 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Larry A. Dale". The signature is fluid and cursive, with the first name "Larry" being the most prominent part.

Larry A. Dale, President & CEO
/dmm



SANFORD AIRPORT AUTHORITY
1200 Red Cleveland Boulevard
Sanford, Florida 32773
(407) 585-4001 • Fax (407) 585-4045
www.orlandosanfordairport.com

January 13, 2010

Via email: legals@mysanfordherald.com

The Sanford Herald
P. O. Box 1657
Sanford, Florida 32772 1657

Attn: Scott, Legal Classified

Please publish the following Public Notice one (1) time in the **Sunday edition (January 17, 2010) of the Sanford Herald Classifieds.** Please confirm receipt of this advertisement by email to dmuniz@osaa.net.

PUBLIC NOTICE

SANFORD AIRPORT AUTHORITY

Notice is hereby given that the Sanford Airport Authority will conduct its February meeting on Tuesday, February 2, 2010, at 8:30 a.m., at the Sanford Airport Authority Executive Offices Board Room, A.K. Shoemaker Domestic Terminal, 1200 Red Cleveland Boulevard, Sanford, Florida. Information may be obtained by contacting the executive offices during normal business hours at (407) 585-4002.

Please take notice that if any person decides to appeal any decision made by the Sanford Airport Authority with respect to any matter considered at the meeting or hearing scheduled herein, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based, per Section 286.0105, Florida Statutes. Persons with disabilities needing assistance to participate in any of these proceedings should contact the executive offices 48 hours in advance of the meeting at (407) 585-4002.

Larry A. Dale
President & CEO

Certified proof of publication and invoice should be sent to:

Attn: Diana M. Muñiz-Olson
Sanford Airport Authority
1200 Red Cleveland Boulevard
Sanford, FL 32773

Please do not hesitate to call me at (407) 585-4002 if you have any questions.

Sincerely,

Diana M. Muñiz-Olson
Executive Assistant

PUBLIC NOTICE

BOARD MEETING

The regular meeting of the Sanford Airport Authority will be held on Tuesday, February 2, 2010, at 8:30 a.m., at the Sanford Airport Authority Executive Offices Board Room, A.K. Shoemaker Domestic Terminal, 1200 Red Cleveland Boulevard, Sanford, Florida. Information may be obtained by contacting the executive offices during normal business hours at (407) 585-4002.

SANAC

The Sanford Airport Noise Abatement Committee (SANAC) meeting scheduled for Tuesday, February 9, 2010, has been cancelled. Information may be obtained by calling (407) 585-4006.

USER GROUP

The Airport User Group meeting scheduled for Tuesday, February 9, 2010, has been cancelled. Information may be obtained by calling (407) 585-4006.

DESIGN REVIEW COMMITTEE (DRC)

The Sanford Airport Design Review Committee (DRC) meeting scheduled for Wednesday, February 3, 2010, has been cancelled. Information may be obtained by calling (407) 585-4002.

Please take notice that if any person decides to appeal any decision made by the Sanford Airport Authority with respect to any matter considered at the meeting or hearing scheduled herein, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based, per Section 286.0105, Florida Statutes. Persons with disabilities needing assistance to participate in any of these proceedings should contact the executive offices 48 hours in advance of the meeting at (407) 585-4002.

Larry A. Dale
President & CEO