

**Boca Raton Airport Authority
Meeting Minutes
October 16, 2013
Boca Raton City Hall - Council Chambers**

Chair Cheryl Budd called the meeting to order at 6:00 P.M.

MEMBERS

Cheryl Budd	Chair
Bill Schwartz	Vice-Chair
Paul W. Carman	Secretary/Treasurer
Bruce Benefield	Member
Frank Feiler	Member-ABSENT
Mitchell C. Fogel	Member
Gene A. Folden	Member

COUNSEL

Dawn Meyers

STAFF

Paul McDermott, Deputy Executive Director for Airside Operations and Airport Construction Projects
Janet Sherr, Deputy Executive Director of Landside Operations/Facilities, Business Development and Communications
Kimberly Whalen, Public Affairs Director
Arthur Rubin, Comptroller
Russ Buck, Noise Abatement and Security

The meeting was televised live and videotaped for broadcast at a later date. The meeting was also streamed live to the Boca Raton Airport Authority website, www.bocairport.com.

APPROVAL OF MINUTES

A MOTION to approve the minutes of the September 18, 2013 regular meeting was made by Mr. Benefield, SECONDED by Mr. Carman and approved by all Authority Members present.

AGENDA CHANGES

Ms. Meyers provided an agenda item, adding Item IX - Status update on the conditional approval granted to Signature for Beach Aviation's sublease.

A MOTION to approve adding agenda item IX was made by Mr. Schwartz, seconded by Mr. Folden and approved by all Authority Members present.

CONSENT AGENDA

There were no items to be considered.

STATE, FEDERAL, COUNTY AND MUNICIPAL INPUT

There was no input provided.

FINANCIAL REPORT

Mr. Carman provided a presentation of the September Financial Report. Discussion ensued regarding legal fees and consulting fees. The overage on the line items of legal fees and consulting fees are justifiable variances due to unforeseen circumstances.

A MOTION for approval of the financial report for September 2013 was made by Mr. Benefield, SECONDED by Mr. Schwartz and approved by all Authority Members present.

Mr. Folden provided a status report on the Authority's Workers Compensation Insurance Policy for the term of November 5, 2013 through November 4, 2014.

A MOTION of the Boca Raton Airport Authority authorizing approval to renew the Workers Compensation Insurance Policy for the term of November 5, 2013 through November 4, 2014 was made by Mr. Schwartz, SECONDED by Mr. Fogel and approved by all Authority Members present.

Ms. Sherr provided a status report on the Boca Raton Airport Authority's Monthly Audit Report performed by Carolyn Binder, CPA. Ms. Sherr stated that three items were noted as deficiencies. Two of the three have been cured and the last item is on the agenda in item IXF.

NOISE ABATEMENT PROGRAM

Mr. McDermott provided the Noise Abatement/Operations Summary and Runway 05 Departures Report for the month of September. Discussion ensued.

TENANT REPORTS AND REQUESTS

Mr. McDermott provided a request from Fairman & Associates, Inc. of the Boca Raton Airport Authority authorizing approval of the Application for Exemption from the Authority's Airport Surcharge for approved aviation activity within the Boca Aviation Building for Suite 412.

A MOTION of the Boca Raton Airport Authority authorizing approval of the application for an exemption of the Authority's surcharge to JetLegal, LLC (aviation law firm) for Suite 412 of the Boca Aviation Building was made by Mr. Fogel, SECONDED by Mr. Schwartz and approved by all Authority Members present.

AIRPORT MANAGER AND STAFF REPORTS

Mr. Benefield provided a status report on Tower funding, stating that an agreement has been reached in Washington regarding a budget, which would continue operations through December 15, 2013. Although, it is still not clear what happens after that date. Ms. Sherr confirmed that the same information is also being reported through the American Association of Airport Executives (AAAE). The vote of the Senate is scheduled to take place at approximately 7:00 pm this evening.

Mr. Schwartz provided a status report on TASK 12 - Install Blast Fence stating the project is going very well and all details with planning and zoning have been worked out. A 6-ft easement was established with Boomers to allow for the proper space for the blast fence wall. Construction is scheduled to begin on November 4th.

Ms. Sherr provided a status report on TASK 27 - Design/Construct Airport Administration Building stating the civil utilities and the 30% plans are completed and we appreciate the comments received by the Authority Members. Ms. Sherr showed a slide presentation of the drawings of the building. Estimates to build the building with interior and exterior costs have been received. Once we review those estimates, we will bring them before the Authority for approval. The square footage of the building is approximately 7,500 feet with 2,300-2,500 square feet planned for the garage area. We have asked for cost analysis and estimates to build an additional 2,500 square feet at the front of the building. This area would be for a large community room and an additional conference room. The maximum square footage allowed for this property is 10,500 square feet. The timeline is to break ground May-June 2013 and to have the building completed by January 2015, pending funding. Discussion ensued regarding the potential customs facility being located within the additional 2,500 square feet addition to the building. Customs is based on FAA approval.

Mr. Carman provided a status report on TASK 28 - Automated Weather Observing System (AWOS), stating the FAA inspection failed the location of the rain gauges. The rain gauges are being relocated to the roof of the control tower.

A MOTION to consider Resolution Number 10-48-13 of the Boca Raton Airport Authority approving Change Order No. 2 to the contract with Hypower, Inc., for Task 28 - Automated Weather Observing System (AWOS) was made by Mr. Schwartz, SECONDED by Mr. Folden and approved by all Authority Members present.

Mr. McDermott provided a status report on the execution of a License Agreement with Exelis, Inc., for Automatic Dependent Surveillance - Broadcast (ADS-B) data, stating that Exelis has an ADS-B tower located on airport property. The lease agreement between Exelis and the Boca Raton Airport Authority sets forth the use of this land in exchange for free automated dependent surveillance data. Mr. McDermott thanked legal counsel for their diligence in working with Exelis's legal counsel to get the details of the agreement verified and the data secured. Discussion ensued as to when the data will be available.

A MOTION to consider Resolution Number 10-49-13 of the Boca Raton Airport Authority ratifying execution of a License Agreement with Exelis, Inc., for Automatic Dependent Surveillance - Broadcast (ADS-B) data, and reserving all rights under the Ground Lease assigned to Exelis, Inc. pursuant to Resolution No. 06-16-12 was made by Mr. Folden, SECONDED by Mr. Fogel and approved by all Authority Members present.

Ms. Sherr provided a status report by Airport Management regarding an amendment to the Boca Raton Airport Authority's Accounting Policies and Procedures Manual to include credit memo procedures.

A MOTION to consider Resolution Number 10-50-13 of the Boca Raton Airport Authority authorizing approval to amend the Boca Raton Airport Authority's Accounting Policies and Procedures Manual to include credit memo procedures was made by M. Schwartz, SECONDED by Mr. McDermott and approved by all Authority Members present.

Mr. McDermott provided an amendment to the Authority's Accounting Policies and Procedures Manual, Airport Regulations and Minimum Standards to include security ID badge policies and procedures. Mr. McDermott stated that there were always procedures but they were never written. In addition, a cost for badges will be initiated. Ms. Budd requested that Mr. McDermott outline the procedures for obtaining a badge or gate access. Additional discussion ensued regarding how the applications are approved. After an in depth discussion the Authority determined that the proposed policies and procedures are not stringent enough. Ms. Budd suggested the policies and procedures be approved and requested that Mr. McDermott amend them to include a more appropriate auditing procedure of the badges distributed and resubmit this amendment to the Authority at the November 20, 2013 meeting.

A MOTION to consider Resolution Number 10-51-13 of the Boca Raton Airport Authority authorizing approval to amend the Boca Raton Airport Authority's Accounting Policies and Procedures Manual, Airport Regulations and Minimum Standards to include the security ID badge policies and procedures was made by Mr. Schwartz, SECONDED by Mr. Carman and approved by all Authority Members present.

Ms. Meyers provided a status report by Airport Management regarding the revising of the Airport Regulations, Minimum Standards, Procurement Code, Sign Standards, Bylaws, and Accounting Policies and Procedures Manual to reflect the re-designation of the Airport Manager to the Executive Director of the Boca Raton Airport.

A MOTION to consider Resolution Number 10-52-13 of the Boca Raton Airport Authority revising the Airport Regulations, Minimum Standards, Procurement Code, Sign Standards, Bylaws, and Accounting Policies and Procedures Manual to reflect the re-designation of the Airport Manager to the Executive Director of the Boca Raton Airport was made by Mr. Folden, SECONDED by Mr. Fogel and approved by all Authority Members present.

Ms. Sherr provided a status report by Airport Management on the Ken A. Day Scholarship Fund stating she, Ms. Whalen and Mr. Carman met with Tim Snow of the George Snow Scholarship Foundation. After careful consideration, the Ken A. Day Scholarship Fund will be managed by the George Snow Foundation. Information was provided to the members about the Foundation.

Ms. Meyers provided a status report on the conditional approval granted to Beach Aviation at the September meeting. It became known to Airport Management on Friday, October 11th that Beach Aviation was operating at the airport without the final approval from the Airport Authority. A cease and desist order was immediately provided to Beach Aviation. As of Tuesday, October 15th, the insurance requirements have been fulfilled. As of today, the security badges are still in the Authority's possession. The concern is that Beach Aviation may still be operating, and without their security badges.

After the September meeting, Ms. Meyers, Ms. Sherr and Mr. McDermott met with Mr. Gillquist in the Authority offices to discuss several violations of the Minimum Standards and to ensure that Signature understood that they must abide by the Minimum Standards.

Discussion ensued whether the Authority has a responsibility to enforce the Minimum Standards to ensure that the Authority does not jeopardize their grant assurances and Director and Officers Liability insurance policy.

A MOTION authorizing legal counsel to issue a letter notifying Premier Aviation and all parties to the sublease of Signature Flight Support of the violations of the Minimum Standards. Additionally, in the event of another violation of the Minimum Standards a notice of default of the lease be provided to Premier Aviation, the lessee to Signature Flight Support was made by Mr. Schwartz, SECONDED by Mr. Carman and approved by all Authority Members present.

AUTHORITY MEMBERS REQUESTS AND REPORTS

Ms. Budd provided a status report on the Search Committee stating that the Committee met on October 16th and reviewed nine applications provided by ADK. The group of nine will become six after the completion and review of background checks and a Profile XT Assessment geared towards identifying the traits that will make these individuals good airport directors. ADK has already outlined the benchmarks for this assessment. The Search Committee will meet again in December and will interview each of the six candidates. Following those interviews, the Search Committee will begin a very subjective process. The goal will be to narrow down the candidates to three. All Search Committee meetings are open to the public. The tentative date for in-person interviews with the Authority Members and the Public are scheduled for Tuesday, December 17th. At the December 18th Authority Meeting there will be a vote for a new Executive Director.

Ms. Budd provided a status report on the Governance Committee, chaired by Ms. Budd, on the filing of two (2) Contact Disclosure Forms by Mr. Folden and Mr. Feiler.

Ms. Budd provided a request for approval to appoint Mitchell Fogel to be Chairman of a newly formed Committee known as Lease Reversions. Ms. Sherr stated that in the near future two of the leases of major tenants, Boca Aircraft Owners and Boca Aviation Building, revert back to the Authority. This includes a portion of land that will become available to the Authority. This is Mr. Fogel's line of work and therefore a perfect candidate for this committee.

A MOTION to appoint Mitchell Fogel as Chairman to the Lease Reversions Committee was made by Mr. Carman, SECONDED by Mr. Folden and approved by all Authority Members present.

Ms. Sherr provided a status report on the Boca Raton Airport Authority's 2014 meeting schedule.

PUBLIC INPUT

There was no public input provided.

OTHER BUSINESS

No other business was provided.

MISCELLANEOUS

The next regularly scheduled meeting is Wednesday, November 20, 2013 at 6:00 p.m. in the Boca Raton Council Chambers at City Hall.

ADJOURMENT

Meeting Adjourned at 7:22 pm.

Cheryl Budd, Chair

Date