

**Boca Raton Airport Authority
Meeting Minutes
June 19, 2013
Boca Raton City Hall - Council Chambers**

Chair Frank Feiler called the meeting to order at 7:00 P.M.

Mr. Feiler asked for a moment of silence to acknowledge the passing of our Airport Manager, Mr. Ken Day.

MEMBERS

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

COUNSEL

Dawn Meyers

STAFF

Paul McDermott, Assistant Airport Manager
Janet Sherr, Director of Landside Operations
Kimberly Whalen, Public Affairs Director
Arthur Rubin, Finance Manager
Russ Buck, Noise Abatement and Security

* Ms. Budd and Mr. Benefield participated in the meeting via conference call, but abstained from voting.

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.bocaairport.com.

APPROVAL OF MINUTES

A MOTION to approve the minutes of the May 15, 2013 regular meeting was made by Mr. Carman, SECONDED by Mr. Folden and approved by all Authority Members present.

AGENDA CHANGES

Ms. Meyers provided a request to add item XH – Formation and Constitution of Search Committee for Airport Manager, XI- Discussion on Interim Airport Manager, and XJ – Discussion regarding Mr. Day's Employment Contract.

A MOTION to accept the agenda changes was made by Mr. Carman, SECONDED by Mr. Fogel and approved by all Authority Members present.

ELECTION OF OFFICERS

Mr. Schwartz made a MOTION nominating Ms. Cheryl Budd for Chair, SECONDED by Mr. Carman and approved by all the Authority Members present.

Mr. Feiler passed the Chairmanship to Ms. Budd.

Ms. Budd made a MOTION nominating Mr. Bill Schwartz as Vice-Chair, SECONDED by Mr. Carman and approved by all the Authority Members present.

Mr. Schwartz made a MOTION nominating Mr. Paul Carman as Secretary and Treasurer, SECONDED by Mr. Folden and approved by all the 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

Ms. Sherr provided the financial report for May 2013. Discussion Ensued.

A MOTION to approve the Financial Report for May 2013 was made by Mr. Carman, SECONDED by Mr. Folden and approved by all Authority Members present.

Mr. Folden provided a status report and presentation on the Boca Raton Airport Authority's Commercial Crime Insurance Policy, which is scheduled to expire on July 9, 2013. Discussion Ensued.

A MOTION authorizing approval to renew the Boca Raton Airport Authority's Commercial Crime Insurance Policy for the effective policy period from July 9, 2013 to July 9, 2014 at 12:01 a.m was made by Mr. Feiler, SECONDED by Mr. Carman and approved by all Authority Members present.

Mr. McDermott introduced Frank Horkey, of Horkey & Associates, the Authority's External Auditors. Mr. Horkey provided a status report on the Audit for fiscal year ending September 30, 2012. Discussion ensued regarding the terms of Horkey & Associates contract and additional questions regarding the audit.

A MOTION to consider Resolution 06-24-13 of the Boca Raton Airport Authority adopting the Boca Raton Airport Authority's Financial Statements and Compliance with requirements applicable to each major program or internal control over compliance in accordance with OMB A-133 and on the Schedule of Expenditures of Federal and State Awards for fiscal year ending September 30, 2012 was made by Mr. Feiler, SECONDED by Mr. Schwartz and approved by all Authority Members present.

NOISE ABATEMENT PROGRAM

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

TENANT REPORTS AND REQUESTS

Mr. McDermott provided a request from Signature Flight Support of the Boca Raton Airport Authority to host a Special Event on their leasehold on January 10, 2014 from 7:00 pm – 12:00 am for the Place of Hope at the Haven.

A MOTION to consider Resolution Number 06-25-13 of the Boca Raton Airport Authority authorizing conditional approval to Signature Flight Support to host a Special Event on their leasehold on January 10, 2014 from 7:00 pm - 12:00 am for the Place of Hope at the Haven, whereby, the conditional approval of the Special Event is granted contingent upon receipt of a Certificate of Insurance and Endorsements in accordance with the Authority's Minimum Standards and Requirements and submission of applicable safety, security and barricade plans was made by Mr. Schwartz, SECONDED by Mr. Fogel and approved by all Authority Members present.

AIRPORT MANAGER AND STAFF REPORTS

A MOTION to rescind the approval granted on April 17, 2013 for Mr. Freudenberg to attend the Florida Airports Council Conference scheduled for July 28-31, 2013 in Orlando, Florida, and to direct Airport Management to mail written notification of such rescission to Mr. Freudenberg, by certified return receipt, was made by Mr. Carman, SECONDED by Mr. Feiler and approved by all Authority Members present.

Mr. Feiler provided a status report on his trip with Airport Manager Ken Day to Washington D.C. on May 19-22, 2013, Mr. Feiler stated that all of the congressional leaders and staff that they visited were very supportive of the Contract Tower Program and the continuation of funding to support the program.

Ms. Meyers provided a status on the second reading to amend the Boca Raton Airport Authority's Bylaws stating the changes that were previously requested were presented at the May meeting. The version presented is the second and final reading of the amended Bylaws. Discussion Ensued.

A MOTION to consider Resolution Number 06-26-13 of the Boca Raton Airport Authority authorizing approval to amend the Boca Raton Airport Authority Bylaws was made by Mr. Carman, SECONDED by Mr. Feiler and approved by all Authority Members present.

Mr. McDermott provided a status report on the Boca Raton Airport Authority's Aviation Advisory Committee (AAC) positions available for Quadrants A, B, C and D for the term of June 1, 2013 – May 31, 2014.

A MOTION of the Boca Raton Airport Authority authorizing approval of the following Quadrant appointments:

Quadrant A – Melvin Pollack;

Quadrant B – Frank Dziewit; and

Quadrant C – Kenneth Henratty

was made by Mr. Schwartz, SECONDED by Mr. Carman and approved by all Authority Members present.

A MOTION of the Boca Raton Airport Authority authorizing approval of the following Quadrant appointments:

Quadrant D – Marvin Diamond

was made by Mr. Feiler, SECONDED by Mr. Carman and approved by all Authority Members present.

Mr. Schwartz provided a status report on TASK 12 – Install Blast Fence stating the blast fence is currently being manufactured. Mr. McDermott stated that the blast fence will take approximately sixty-days to manufacture therefore the Notice to Proceed with construction will not be issued until the blast fence is shipped.

Mr. Feiler provided a status report on Task 27 – Design / Construct Airport Administration Building, stating that the Civil Sites Utilities project is on schedule. The Notice to Proceed will be on July 8, 2013.

Mr. Pete Ricondo, Ricondo & Associates gave an explanation regarding the various projects and phases leading up to the construction of the administration building. Discussion Ensued.

A MOTION to consider Resolution Number 06-28-13 of the Boca Raton Airport Authority approving Joint Participation Agreement for Financial Project No. 423955-1 94-01, Task 27 – Design/Construct Airport Administration Building with the State of Florida Department of Transportation (FDOT) was made by Mr. Feiler, SECONDED by Mr. Folden and approved by all Authority Members present.

Mr. Folden provided a presentation regarding the status report on Task 29 – Expand Airport Road and Utility Corridor. Mr. Folden stated that five bids were received and All-Site Construction was the lowest bidder.

A MOTION to Consider Resolution Number 06-29-13 of the Boca Raton Airport Authority authorizing conditional approval to award the contract to All-Site Construction, Inc. to construct and install airport signage on Airport Road was made by Mr. Carman, SECONDED by Mr. Fogel and approved by all Authority Members present.

Ms. Meyers stated the Airport Authority needs to create a committee to search for a new airport manager. The Bylaws provide that the Authority establish a committee to search for a new airport manager.

A MOTION to establish a Search Committee to locate a new Airport Manger was made by Mr. Feiler, SECONDED by Mr. Schwartz and approved by all Authority Members present.

Ms. Meyers stated that the Bylaws further provide that it is the Chair's prerogative and in her sole discretion to name the members of any committee. Ms. Meyers also stated she researched how this had been handled in the past by this Authority in other circumstances. Previously, committees have been staffed by an Authority member and a staff member. Discussion Ensued.

Ms. Budd stated that it is an appropriate process to follow going forward and her proposal is that our Search Committee be comprised of herself, Ms. Sherr, and Mr. Ricondo. Discussion Ensued.

Mr. Feiler stated that he believes we should expand the Committee to five members that include expertise in finance and also someone from a huge employer of the community that utilizes the airport. Discussion Ensued.

Ms. Meyers stated the next item is for the Board to discuss whether or not it seeks to name an interim Airport Manager. She also stated that the job descriptions of Mr. McDermott and Ms. Sherr provide that each of them assume a portion of the duties of Airport Manager. Mr. McDermott would handle airside issues and Ms. Sherr would handle landside issues.

Discussion Ensued regarding who should be the interim Airport Manager.

A MOTION to retain Ricondo & Associates to appoint one of its qualified employees or subcontractors to serve on the capacity of interim Airport Manager on an as needed basis was made by Mr. Schwartz, SECONDED by Mr. Carman and approved by all Authority Members present.

Mr. Ricondo stated currently Ricondo & Associates is available on an on-call basis, and he believes the airport is run by a very efficient staff. He will just be there to fill in the void when it comes to grants.

Ms. Meyers stated Mr. Day's contract included a provision that called for its immediate termination upon his death. There is an Exhibit to it that addresses his benefits with regard to sick days, holidays, etc. However, the Exhibit is unclear as to how accrued but unused vacation days are to be handled in the event of the airport manager's death. Discussion Ensued.

A MOTION interpreting the terms of Mr. Day's Employment Contract to provide that accrued but unused vacation days shall be treated in the manner provided in the Employee Handbook was made by Mr. Schwartz, SECONDED by Mr. Carman and approved by all Authority Members present.

AUTHORITY MEMBERS REQUESTS AND REPORTS

Ms. Meyers provided a status report from the Governance Committee stating that two (2) Contact Disclosure Forms were received from Mr. Feiler.

PUBLIC INPUT

Ms. Kristen Hughes stated she felt compelled to speak tonight, stating it very difficult to hear and see and to be part of the business as usual when discussing the irreplaceable Mr. Day. She just acknowledged Mr. Day’s professionalism, integrity and his patience, and the fact that she learned so much from him.

OTHER BUSINESS

Mr. Folden asked if the use of a search firm would fall under the discretion of the Search Committee. Ms. Meyers stated that the search firms she had spoken with do not require any upfront fees. Therefore, this is not presently a procurement issue.

Mr. Feiler thanked Kim, Janet, and Dawn for their work over the past ten days.

MISCELLANEOUS

The next regularly scheduled meeting is Wednesday, July 17, 2013 at 6:00 p.m. in the Boca Raton Council Chambers at City Hall.

ADJOURMENT

Meeting Adjourned at 8:58 pm.

Cheryl Budd, Chair

Date