

**Boca Raton Airport Authority
Meeting Minutes
October 21, 2020
Electronically via Webinar**

Ms. Landers welcomed everyone to the October 21, 2020 electronic Boca Raton Airport Authority Board Meeting and provided details regarding the meeting.

Chair Melvin Pollack welcomed attendees to the meeting and covered basic rules for how the meeting would be conducted, including public comment.

Mr. Pollack called the meeting to order at 6:07 p.m.

BOARD MEMBERS

Melvin Pollack	Chair
Randy Nobles	Vice-Chair
James R. Nau	Secretary/Treasurer
Cheryl Budd	Board Member
Mitchell Fogel	Board Member
Gene Folden	Board Member
Bob Tucker	Board Member

COUNSEL

Amy Petrick, Esquire – Lewis Longman Walker

STAFF

Clara Bennett, Executive Director
Scott Kohut, Deputy Director
Ariadna Camilo, Finance and Administration Manager
Travis Bryan, Operations Manager
Christine Landers, Business Manager
Robert Abbott, Operations and Finance Analyst
William Urbanek, Operations Coordinator
Robert Pratt, Operations and Administration Coordinator
Jada Stewart, Accounting and Administration Coordinator

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 and aired on the radio at 1650 AM.

APPROVAL OF MINUTES

A MOTION to approve the minutes of the September 16, 2020 Regular Meeting was made by Mr. Tucker and seconded by Mr. Fogel. The Motion carried unanimously.

AGENDA CHANGES

There were no agenda changes.

PUBLIC REQUESTS

There were no public requests.

CONSENT AGENDA

There were no items on the consent agenda.

FEDERAL, STATE AND MUNICIPAL INPUT

There was no Federal, State or Municipal input.

FINANCIAL REPORT

Ms. Camilo presented the Financial Report for September 2020.

Mr. Nau advised that he reviewed the September Financial Report and found it satisfactory.

A MOTION to approve the Financial Report for September 2020 was made by Mr. Nobles and seconded by Mr. Folden. The Motion carried unanimously.

TENANT REPORTS AND REQUESTS

Ms. Bennett provided a history of the Premier Aviation of Boca Raton, LLC leasehold and presented the request from Premier regarding the Phase III Site Plan.

Mr. Hamid Hashemi, CEO of Premier Aviation of Boca Raton, LLC advised the Board that he entered had into a Letter of Intent with City Furniture to build a 50,000 square foot two-story showroom on the Phase III site. Mr. Hashemi summarized that Premier was requesting conceptual approval of a proposal to construct a standalone Ashley HomeStore on the Phase III site, to bifurcate the current Lease into three leases and to waive the requirements of the Ninth Amendment for a marketing plan and 50% design plans due in November and February respectively.

Mr. Koenig, CEO of City Furniture, presented a brief history of City Furniture's current store at the Airport and showed conceptional designs for a two-story Ashley HomeStore showroom.

Ms. Budd clarified that City Furniture does not own Ashley HomeStore, but rather they have a particular geographic area license. Mr. Koenig confirmed Ms. Budd was correct.

Mr. Tucker inquired about City Furniture's financial position given that they requested rent relief from the Board in May due to COVID-19. Mr. Koenig stated that they have seen an increase in business since May and their business is financially stable.

Mr. Nau proposed that the Board consider each of Premier's requests separately. Mr. Nau asked how solid the Letter of Intent was and whether the parties could change their minds.

Ms. Petrick stated that, in her opinion, the Letter of Intent expressly states that it is not a contract and that within ten days of the Letter of Intent a purchase and sale agreement would be entered into by both parties. Ms. Petrick was unaware if this had occurred. The Letter of Intent is explicitly conditioned on the notion of a Lease bifurcation. Ms. Petrick stated that a bifurcation of the Lease would have land use implications and would require an amendment to the Airport Layout Plan, re-evaluation of the properties for fair market value, and FAA approval.

Ms. Budd noted that Premier would have the opportunity to determine the lease terms with City Furniture, including the price. The Airport Authority would have no part in that negotiation, yet it is proposed that after the negotiations have been completed the lease would be turned over to the Airport Authority.

Ms. Petrick agreed with Ms. Budd and stated that the Airport Authority is not party to the Letter of Intent or a future purchase and sale agreement. From a legal perspective, Ms. Petrick would not recommend that the Airport Authority accept what the two parties agreed to unless they were party to those discussions.

A discussion ensued.

Mr. Folden asked Mr. Koenig when they would be able to deliver 50% design plans. Mr. Koenig advised they could provide plans as early as next week and would meet any timeline set by the Airport Authority.

Ms. Budd recommended moving forward conceptually without addressing the bifurcation portion of the request.

A MOTION to waive the Ninth Amendment obligations for the marketing plan based on the information provided by Mr. Hashemi and to direct Airport Management and Legal Counsel to work with Premier Aviation of Boca Raton, LLC on the other requests was made by Mr. Nau. This Motion died for a lack of second.

Ms. Budd asked Legal Counsel if by passing this motion the Board would be granting an extension to the Ninth Amendment.

Ms. Petrick recommended accepting the Letter of Intent as satisfaction for the marketing plan due in November and leaving all other requirements of the Ninth Amendment in place.

A discussion ensued.

Mr. Hashemi stated that he would meet the Ninth Amendment's requirements if this proposal with City Furniture does not proceed.

A discussion ensued.

A MOTION to accept the Letter of Intent from Premier Aviation of Boca Raton, LLC as satisfaction of the marketing plan requirement for the Ninth Amendment, to require 50% design plans for the proposed Ashley HomeStore be presented at the November 18, 2020 Board meeting and direct Airport Management and Premier Aviation of Boca Raton, LLC to present a status report on the modification of the Lease at the December 16, 2020 Board meeting was made by Mr. Folden and seconded by Mr. Nau. The Motion carried unanimously.

Mr. Bryan presented a request from Atlantic Aviation to host a special event on their leasehold for Sky One Holdings, LLC dba Privaira on November 14, 2020.

Mr. Tucker asked if it would be possible to host the event outside to provide better ventilation. Mr. Clemens Vanderwerf, CEO of Privaira advised the Board that the hangar doors would be open during the event to provide ventilation and all CDC and County guidelines for social distancing and public gatherings would be adhered to.

Mr. Pollack inquired about the total number of guests.

Mr. Vanderwerf stated that the maximum number of guests would be 200.

A MOTION to approve Resolution No. 10-30-20 of the Boca Raton Airport Authority granting conditional approval of Atlantic Aviation's request to host a special event on their leasehold premises for Sky One Holdings, LLC dba Privaira on November 14, 2020 was made by Mr. Nobles and seconded by Mr. Folden. The Motion carried unanimously.

EXECUTIVE DIRECTOR AND STAFF REPORTS

Mr. Abbott presented the Noise Abatement/Operations Summary for the month of September 2020.

Mr. Tucker asked if there would be a Temporary Flight Restriction (TRF) on Friday.

Mr. Kohut advised that Airport Management was aware of a potential TRF on Friday but had not yet received official notification.

Mr. Kohut presented a request to approve an FPL License Agreement.

A MOTION to approve Resolution No. 10-29-20 of the Boca Raton Airport Authority to enter into a License Agreement with Florida Power and Light for the relocation and installation of electrical transmission lines associated with the Airport Road Project was made by Mr. Folden and seconded by Mr. Fogel. The Motion carried unanimously.

Ms. Bennett presented an update on the Airport Road project.

Mr. Pete Ricondo, Ricondo and Associates, provided an update on the progress and timeline of the Project.

Ms. Sharon Hauber, Hauber Fowler & Associates, LLC, presented an updated design plan for Airport Road.

Ms. Bennett advised that the City of Boca Raton Community Appearance Board was happy with the plans and that their only recommendations were regarding shade trees or shade structures that could be addressed in a future project.

Mr. Folden stated that it has always been his goal to see improvements along Airport Road. He thanked Ms. Hauber, Mr. Ricondo and Ms. Bennett for their work on the Project.

Mr. Bryan presented an update on the Stormwater Enhancements project and the Taxiway Connector Widening project.

AUTHORITY MEMBERS REQUESTS AND REPORTS

Mr. Pollack advised that the 2020 Board Meeting Schedule was included in the meeting materials this month.

PUBLIC INPUT

There was no public input.

OTHER BUSINESS

There was no other business.

MISCELLANEOUS

The next regularly scheduled meeting is Wednesday, November 18, 2020 at 6:00 p.m. Due to COVID-19, information on the location of the meeting and how to participate will be announced at a later date via a meeting notice.

ADJOURNMENT

Meeting adjourned at 8:11 p.m.



Melvin Pollack, Chair



Date