

**Boca Raton Airport Authority
Meeting Minutes
November 16, 2022
Boca Raton Airport Authority Administration Building**

Mr. Nau called the meeting to order at 5:00 p.m.

BOARD MEMBERS

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

COUNSEL

Amy Petrick, Esquire – Lewis Longman Walker
Chris Lyon, Esquire – Lewis Longman Walker - Telephonically

STAFF

Clara Bennett, Executive Director
Scott Kohut, Deputy Director
Travis Bryan, Operations Director
Christine Landers, Office Manager
Robert Abbott, Finance and Administration Manager
Robert Pratt, Operations Coordinator
Hannah Oakland, Operations Coordinator
Juan Amaya, Operations Intern
Erin Spiropoulos, Finance and Administration Intern

Ms. Bennett introduced Erin Spiropoulos, the new Airport Finance and Administration Intern.

APPROVAL OF MINUTES

A MOTION to approve the minutes of the October 19, 2022 BRAA Board Workshop was made by Mr. Pollack and seconded by Mr. Nobles. The Motion carried unanimously.

A MOTION to approve the minutes of the October 19, 2022 Regular Meeting was made by Mr. Pollack and seconded by Mr. Tucker. The Motion carried unanimously.

A MOTION to approve the minutes of the November 8, 2022 BRAA Board Workshop was made by Ms. Budd and seconded by Mr. Pollack. 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

Mr. Abbott presented the Financial Report for October 2022.

A MOTION to approve the Financial Report for October 2022 was made by Mr. Tucker and seconded by Mr. Nobles. The Motion carried unanimously.

TENANT REPORTS AND REQUESTS

There were no tenant reports or requests.

EXECUTIVE DIRECTOR AND STAFF REPORT

Ms. Oakland presented the Noise Abatement/Operations Summary for the month of October.

Ms. Budd asked if there would be a point when the number of flights would exceed what the Airport can handle. Ms. Bennett advised the Board that this is something the Master Plan update takes into consideration and will address.

Mr. Nobles asked why the fuel numbers were down. Ms. Bennett explained the breakdown of types of operations at the Airport, adding that the Airport is seeing more training and recreational flights.

Mr. Pollack commented that only having five households file noise concerns is not bad.

Mr. Abbott presented the Airport Noise and Operations Monitoring System Contract Award.

Ms. Budd asked if a 3% escalation rate was normal. Ms. Bennett replied that it is present in some of the Airport's existing contracts.

Ms. Bennett thanked Mr. Folden for his oversight in the selection process.

Mr. Pollack asked if the Airport would be receiving new noise monitors. Ms. Abbott replied that new monitors would be installed.

A MOTION to approve Resolution No. 11-24-22 of the Boca Raton Airport Authority authorizing a contract with Envirosuite for an Airport Noise and Operations Monitoring System was made by Mr. Nobles and seconded by Mr. Pollack. The Motion carried unanimously.

Mr. Abbott presented the Amendment to Public Transportation Grant Agreement – Administration Building.

Mr. Pollack asked what the project entailed. Mr. Kohut provided details for the Administration Building Improvements project.

A MOTION to approve Resolution No. 11-25-22 of the Boca Raton Airport Authority approving an Amendment to the Public Transportation Grant Agreement with the State of Florida Department of Transportation for Administration Building Improvements was made by Mr. Fogel and seconded by Mr. Tucker. The Motion carried unanimously.

Ms. Bennett presented the request to amend the Fiscal Year 2023 Operating Budget.

Ms. Budd asked what the new position would be and what skill sets Airport Management was looking for. Ms. Bennett advised the Board that it would be an Operations Coordinator position and that they would prefer the new hire to have airport experience.

A MOTION to approve Resolution No. 11-26-22 of the Boca Raton Airport Authority approving an Amendment to the Fiscal Year 2023 Operating Budget was made by Mr. Nobles and seconded by Mr. Tucker. The Motion carried unanimously.

Mr. Kohut presented the Information Technology Service contract amendment.

Mr. Fogel asked if there was an alternative solution if we did not proceed with the contract amendment.

Mr. Erick Solms, President, Simplitfy advised the Board that the system currently in use would still work, however, the new system is more reliable, and they strongly recommend the upgrade.

A MOTION to approve Resolution No. 11-27-22 of the Boca Raton Airport Authority to ratify an amendment to the three-year contract with Simplitfy, LLC for Information Technology Services was made by Mr. Fogel and seconded by Mr. Pollack. The MOTION carried unanimously.

Ms. Bennett provided information on the Boca Raton Airport Authority lobbyist procedures found in the Airport Authority Bylaws. Ms. Bennett advised the Board that there was a lobbyist who registered but did not follow all the requirements outlined in the Bylaws, and that she would be conducting an investigation and, depending on the findings, would refer the incident to a hearing officer.

Ms. Budd asked where one finds a hearing officer. Ms. Bennett advised the Board that Ms. Petrick has provided some possible contacts to reach out to.

A discussion ensued.

Mr. Nau asked if there was any action by the Board needed. Ms. Bennett replied that no action is required at this time and that she will follow the directions dictated in the bylaws.

Ms. Budd asked Ms. Petrick if the Authority's procedures are valid, fair and in best practices. Ms. Petrick advised that they provide for notice and the opportunity to be heard and these are the features she would look for in the process.

AUTHORITY MEMBERS REQUESTS AND REPORTS

Ms. Petrick presented a redline version of the Enabling Act Bill along with a memo detailing the suggested changes.

Ms. Budd asked what the next step would be and whether there are any areas of concern in the Bill that may need to be addressed.

A discussion ensued.

Ms. Bennett recommended to the Board that they delegate a Board Member to act as a representative of the Board in the process.

Mr. Lyon advised the Board that it is rare that a Bill passes in its original form and agrees with Ms. Bennett that they should appoint a Board Member to handle changes to keep the process moving.

Ms. Petrick recommended adding a section to Resolution No. 11-28-22 specifically delegating authority to the Chair to work with the lobbyist to amend the draft Enabling Act as necessary.

The Board unanimously agreed to the amendment to Resolution No. 11-28-22.

A MOTION to approve amended Resolution No. 11-28-22 of the Boca Raton Airport Authority authorizing the submittal of a local bill to amend the Boca Raton Airport Authority Enabling Act was made by Mr. Pollack and seconded by Mr. Folden. The Motion carried unanimously.

Ms. Bennett presented the proposed engagement agreement between the Boca Raton Airport Authority and Lewis Longman and Walker.

Mr. Fogel asked if this engagement was specific to the Enabling Act Bill and outside of our regular contract. Ms. Bennett replied that it was, adding that this is the first time the Authority has engaged a lobbyist.

A discussion ensued.

Mr. Nobles asked if there would be any additional expenses. Mr. Lyon advised the Board that there may be some additional fees related to lobbyist registration and travel-related expenses.

Ms. Bennett reminded the Board that, when the fiscal budget was prepared for 2023, it included funds for this lobbying effort.

A MOTION to approve the engagement agreement with Lewis Longman & Walker for lobbying services related to the Local Bill was made by Mr. Pollack and seconded by Ms. Budd. The Motion carried unanimously.

Mr. Nobles reminded the Board that in the Fall of 2021 a compensation study was completed and based on the results of that study, the Board agreed to review Ms. Bennett's current contract and to incorporate the results of the compensation study; make sure the Authority's compensation practices for this position are keeping with the market; and provide incentives to retain Ms. Bennett. Mr. Nobles stated that he had worked with Ms. Petrick and Ms. Bennett to develop a new contract. Mr. Nobles added that the results are presented in the document provided to the Board and Ms. Bennett is in agreement with the proposed contract.

Ms. Petrick highlighted the relevant changes to the employment agreement between the Boca Raton Airport Authority and Ms. Clara Bennett and answered questions related to the changes.

A discussion ensued.

Mr. Folden asked if the total compensation was anticipated and if it was in the budget. Mr. Nobles stated that the retention bonus was not included in the budget. Ms. Petrick advised the Board that it is her understanding the contract does not require a budget amendment to be executed.

A MOTION to approve Resolution No. 11-29-22 of the Boca Raton Airport Authority authorizing an Employment Agreement with Clara Bennett, Executive Director was made by Mr. Tucker and seconded by Mr. Pollack. The Motion carried unanimously.

Mr. Nau asked if benefits were addressed during the last compensation study and if it would be beneficial to review them at this time for staff.

A MOTION to direct Airport Management to engage a consultant to perform a compensation benefit study was made by Ms. Budd and seconded by Mr. Pollack. The Motion carried unanimously.

PUBLIC INPUT

There was no public input.

OTHER BUSINESS

Mr. Nau asked the Board if 5:00 p.m. was still a good time to meet or if the Members wanted to discuss moving the meeting to earlier in the day. The Board's consensus was to keep the meeting at 5:00 pm.

Mr. Nau asked for a status report on Premier Aviation.

Ms. Bennett provided an update on Premier Aviation of Boca, LLC and the Eleventh Amendment, along with the response received from the FAA objecting to the Amendment as written.

Mr. Fogel asked how the Board should respond if contacted by representatives from Premier Aviation or their Legal Counsel given that they have notified the Airport Authority of their intention to file a lawsuit against the Authority. Ms. Petrick recommended that the Board not engage in conversations that are not absolutely required.

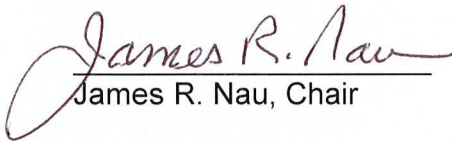
Mr. Fogel asked if the December meeting time could be moved to 3:00 p.m. The Board agreed unanimously to move the time of the December 14, 2022 meeting to 3:00 p.m.

MISCELLANEOUS

The next regular meeting is scheduled for December 14, 2022 at 3:00 p.m. in the main conference room at the Boca Raton Airport Authority Administration Building.

ADJOURNMENT

Meeting adjourned at 7:10 p.m.

 James R. Nau, Chair 12/14/2022
Date