

**MINUTES OF THE REGULAR MEETING OF THE
SANFORD AIRPORT AUTHORITY
TUESDAY, DECEMBER 4, 2007**

PRESENT: G. Geoffrey Longstaff, Chairman
Tim Donihi, Secretary/Treasurer
David L. Cattell
Whitey Eckstein
Colonel Charles H. Gibson
William R. Miller
Brindley B. Pieters
John A. Williams
Brett R. Renton, Airport Counsel
Comm. Jack T. Bridges, City Liaison

ABSENT: Clyde H. Robertson, Jr., Vice Chairman
Comm. Bob Dallari, County 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: Rusty Beavers, Starport
James B. Byrne, Jr., Esq.
Lisa Curtin
John Dannecker, Shutts & Bowen LLP
David Doudney
Larry Gouldthorpe, OSI
Sherry Kern, Esq.
Bill McGrew, PBS&J
Yasmin Moreno, PBS&J
Doug Norman, HTA
Sabrina O'Bryan, Seminole Co. Economic Development
Stan Poloski
Jack Reynolds, JRA, Inc.
Sandeep Singh, AVCON
Kevin Spolski, Spolski Construction
Ernest Stallings
Bob Tunis, City of Sanford Economic Dev. Director

1. INTRODUCTION OF GUESTS AND CALL TO ORDER

The meeting was called to order at 8:32 a.m.

Introduction of Sanford Airport Authority employees to the Board by their respective supervisors. On behalf of the Board, Chairman Longstaff wished the employees a Merry Christmas and thanked them for their work throughout the year.

2. ADVERTISEMENT OF MONTHLY MEETING

Copies attached.

3. APPROVAL OF MINUTES OF THE REGULAR MEETING HELD ON TUESDAY, NOVEMBER 6, 2007.

Motion by Secretary/Treasurer Donihi, seconded by Board Member Gibson, to approve the minutes from the regular meeting held on Tuesday, November 6, 2007. Motion passed.

4. PRESIDENT'S REPORT

President Dale reported on the following:

- A. Extension of Runway 9R-27L – Regarding the Annett properties, the Airport took possession of two mobile homes. President Dale requested authorization to sign a relinquish letter (in lieu of demolition). Motion by Board Member Williams, seconded by Secretary/Treasurer Donihi to allow President Dale to sign relinquish letter. Board Member Eckstein questioned if the Airport needs to declare it as surplus property. Motion was amended to declare it as surplus properties. Motion passed.
- B. Extension of Runway 9L-27R - The environmental assessment task order has been submitted to the FAA and currently awaiting approval.
- C. 84-Lumber – They are currently working on some drainage issues with the City of Sanford.
- D. Delta Connection Academy – Certificate of Occupancy issued on November 27, 2007. Grand opening scheduled to take place on Thursday, December 6, 2007 at 10:30 a.m.
- E. Hotel – Application will be submitted to St. John's River Water Management District on the day of the meeting. Civil drawings, landscape plan and preliminary architectural drawings will be presented to the Design Review Committee on December 11, 2007. Board Member Miller questioned why the deadlines are not being met. He believes the Board deserves to know what they are doing wrong, and should "hold them to the line." Chairman Longstaff suggested the engineer do a presentation to the Board in order for them to substantiate why the project is being delayed.

- F. ARMF General Aviation Hangar – Concrete slab has been completed. Concrete perimeter walls and structural steel are being constructed. Tie-in has been paved. All underground infrastructure is in place (storm sewer, sanitary sewer, water). Working with Florida Power and Light to relocate underground electrical line. Construction is 30 days ahead of schedule.
- G. Southeast Ramp Jet Fuel Tanks - Notice to Proceed was issued after the DRC Meeting (October 3, 2007 meeting).

H. Wildlife Management

1. Eagle nests - Despite the Airport's best efforts (by trimming candidate trees), a nest has been built on the first row of trees. No eggs have been seen, but President Dale cautioned there might be some in the future.
2. Birdstrike - On November 28, 2007 there was an eagle strike. There was poor visibility on the day of the strike; only departures were allowed. A pilot waiting to depart reported the strike to the tower; he believed the eagle hit an Allegiant aircraft. President Dale called the chief pilot from Allegiant and asked him to get an inspection of the plane. The inspection showed no damage. President Dale reported the strike to all agencies. It is believed it was a 2-year old immature eagle. Fish and Wildlife picked up the bird and placed it in a repository. George Speake stated that no emergency action process is currently in place with the new classification. President Dale stated Orlando International Airport is dealing with eight problem eagles. He suggested the Board should ask Counsel on how to proceed. Motion by Secretary/Treasurer Donihi, seconded by Board Member Gibson for Counsel to direct the Board on actions to take regarding eagles, limiting danger to the passengers and liability for the airport. Motion passed.
3. Birdstrike Conference – On November 28, 2007 Sanford Airport Authority staff met with John Metcalf and Parker McClellan with Orlando International Airport to discuss the 2008 Annual Birdstrike Conference that we are hosting in August 2008.
4. Cleo Howard Situation- (Note: Mr. Howard is the owner of the property in Midway from where the Airport removed an eagle nest and tree, via court order). Mr. Howard wants to sue the Airport for \$25,000.00. In turn, Counsel would place a frivolous lawsuit if he proceeded. Consensus from the Board for Counsel to handle this issue.

- K. Attorneys' Fees – Discussion of November attorneys' fees.

- L. Craggs Construction lawsuit - A settlement offer of \$1.5 million was made; \$200,000.00 was received by wire and a check for \$1.3 million was received Friday, November 30, 2007.
- M. First Amendment to Parking Garage Agreement - Motion by Secretary/Treasurer Donihi, seconded by Board Member Williams to add lot E (employee parking lot) to the Parking Garage agreement between the Sanford Airport Authority and Orlando Sanford Domestic, Inc. Motion passed.
- N. FAC Conference - The FAC Conference will take place in Tallahassee on February 6 - 7, 2008.
- O. January meeting - The January Board meeting was rescheduled to January 8, 2008.
- P. Legislative Priority - The four laning of SR 46 is the fifth priority in the METROPLAN ORLANDO Transportation Improvement Program (TIP). The Airport is still trying to get it on the FDOT 5-Year Capital Improvement Program (CIP). Request was mailed to Rep. D. Alan Hays (Chairman of Seminole County Legislative Delegation) to include right-of-way acquisition and project construction in the 5-Year CIP; and legislative place-naming of funds for right-of-way acquisition and project construction.
- Q. Employee Christmas party - President Dale reminded the Board of the employee Christmas party, taking place on December 20, 2007.

5. COUNSEL'S REPORT

- A. Parking Garage – John Dannecker recommended that the Board have an information session with HTA counsel. President Dale can meet with them, and then bring back any decision to the Board for ratification.
- B. Eminent Domain - Brett R. Renton requested approval of Resolution 2007-13 for parcel numbers 109 and 110. Motion by Board Member Miller, seconded by Board Member Gibson to approve Resolution 2007-13 authorizing eminent domain process for parcel numbers 109 and 110.

6. TBI REPORT

TBI President Larry Gouldthorpe reported on the following:

- A. Monthly Statistics for November 2007
 - i. UK traffic total
November 2007 – **26,784** passengers

- ii. International traffic total
November 2007 – **31,236** passengers
- iii. Domestic traffic total
November 2007 – **76,112** passengers
- iv. Percentage
UK traffic is down 17% compared to November 2006. Domestic traffic is up 49% compared to November 2006. International traffic is down 23% compared to November 2006. Year to date passenger count is up 6% compared to same time last year.

Board Member Eckstein stated he was concerned with the overall Central Florida economy/marketing. President Dale commented UK traffic is diversifying and going to other markets. Mr. Gouldthorpe stated the UK model is going away, the airport needs to find a replacement (internationally). He believes Board Member Eckstein is correct in that as a region, Central Florida is not doing everything it can to promote the area.

B. Airlines/Tour Operators Update

- i. Allegiant – New service to Plattsburgh, NY beginning in February 2008 is expected to attract the Canadian market.

C. Miscellaneous Updates

- i. Thanksgiving Parking operations - Every paid space at airport was occupied for at least two days. Lot A was reactivated for hourly rate.
- ii. UK Charter Airlines Summit – The summit discusses traffic schedules for Summer 2008; took place the previous week. Sales are up about 40% from same time last year. Schedules are down 10% from last summer.
- iii. Latin America market - Greg Dull will attend conference at Monterrey, Mexico to meet with approximately 8 carriers. Meetings must be requested in advance by one another.
- iv. Fuel Supply - Supply will be ready December 18, 2007 instead of December 15th.

7. LIAISON REPORTS

City of Sanford

None

Seminole County

None

8. CHAIRMAN'S REPORT

None. Chairman Longstaff wished all present a Merry Christmas and a happy New Year.

9. CONSENT AGENDA

- A. Consider approval of Lease No. 2007-31 with ACOUSTICFAB, INC. for Building No. 515-2, located at 2842 Mellonville Avenue (Warehouse/Office).

Staff recommends approval of Lease No. 2007-31 with ACOUSTICFAB, INC. for Building No. 515-2, located at 2842 Mellonville Avenue (Warehouse/Office). The lease shall have a one (1) year term, commencing on December 1, 2007. The lease consists of 1,500 square feet of office and warehouse space at \$7.90 per square foot. The annual rental rate is \$11,850.00; the monthly payment is \$987.50, exclusive of taxes.

Note: The tenant is an aerospace noise control company that manufactures noise control products as well as aircraft engines and parts.

- B. Consider approval of Addendum F to Lease No. 01-44 with VERTICAL AVIATION TECHNOLOGIES, INC. for Building No. 332, located at 1609 Hangar Road (Warehouse/Office).

Staff recommends approval of Addendum F to Lease No. 01-44 with VERTICAL AVIATION TECHNOLOGIES, INC. for Building No. 332, located at 1609 Hangar Road (Warehouse/Office). Addendum F extends the lease term for one (1) additional year, effective December 1, 2007. The lease consists of 8,120 square feet of office and warehouse space at \$3.8625 per square foot. The annual rental rate is \$31,363.50, an increase of \$913.50; the monthly payment is \$2,613.63, exclusive of taxes.

- C. Consider approval of Addendum A to Lease No. 2006-35 with CAROLYN WRY for Building No. 300-N, located at 3104 Rudder Circle (Residential).

Staff recommends approval of Addendum A to Lease No. 2006-35 with CAROLYN WRY for Building No. 300-N, located at 3104 Rudder Circle (Residential). Addendum A extends the lease term for one (1) additional year, effective December 1, 2007. The annual rental rate is \$8,100.00, an increase of \$600.00; the monthly payment is \$675.00.

- D. Consider approval of Addendum D to Lease No. 2005-17 with Miro Hospitality Properties, LLC, for the property located on Airport Boulevard immediately west of Don Knight Park at Lake Golden (hotel site).

Moved to Discussion Agenda.

- E. Consider approval of the Ground Transportation Pre-Arranged Permit for January 1, 2008 – December 31, 2008.

Each year staff reviews and prepares a new Ground Transportation Permit and Agreement. Since 2002, the review has consisted of a few minor changes to the form of the agreement and the addition/deletion of rules, waiting areas, etc. However, the fees charged to the Ground Transportation Companies have remained unchanged.

This year's permit includes modest increases to the fees, as summarized below:

Standard Fees

Class I Vehicles (1 to 6 passengers) – Increase from \$50.00 to \$75.00 annually

Class II Vehicles (7 to 15 passengers) – Increase from \$75.00 to \$100.00 annually

Class III Vehicles (16 plus passengers) – Increase from \$125.00 to \$150.00 annually

Class IV Vehicles (Courtesy Vehicles) – Increase from \$300.00 to \$350.00 annually

Fleet Rate Fees

Class I Vehicles (1 to 6 Passengers) – Increase from \$1,250.00 to \$1,875.00 annually

Class II Vehicles (7 to 15 passengers) – Increase from \$1,875.00 to \$2,500.00 annually

Class III Vehicles (16 plus passengers) – Increase from \$3,125.00 to \$3,750.00 annually

In addition to the fee changes, some of the Articles received minor changes as detailed below:

Article 1 – Term: Provides a reduction in annual fees to $\frac{3}{4}$ when paid after June 30, 2008 and a reduction to $\frac{1}{2}$ when paid after September 30, 2008.

Article 2 – Definitions: Added the definitions of “International Meet and Greet Area” and “Domestic Meet and Greet Area”

Article 3 – Authorized Services: Further defines where drivers are allowed to be when on airport property.

Staff recommends approval of the Ground Transportation Pre-Arranged Permit for January 1, 2008 - December 31, 2008, as presented.

Motion by Board Member Williams, seconded by Board Member Eckstein, to approve Consent Agenda Items A through E, excluding D for discussion. Motion passed.

10. DISCUSSION AGENDA

- A. Consider approval of Addendum D to Lease No. 2005-17 with Miro Hospitality Properties, LLC, for the property located on Airport Boulevard immediately west of Don Knight Park at Lake Golden (hotel site).

Staff recommends approval of Addendum D to Lease No. 2005-17 with Miro Hospitality Properties, LLC, for the property located on Airport Boulevard immediately west of Don Knight Park at Lake Golden (hotel site). Addendum D increases the land rental from 298,386 square feet [6.85 acres] to 304,049 square feet [6.98 acres], as a result of a new survey that changed the square footage of the subject parcel. The annual revised rental rate is \$63,850.29, an increase of \$1,189.23; the monthly payment is \$5,320.86, exclusive of taxes.

Motion by Board Member Eckstein, seconded by Board Member Cattell, to approve Discussion Agenda Item A. Motion passed.

- B. Consider approval of:
1. Acceptance of FDOT offer of \$1.74 million for purchase of 14.669 acres of SAA-owned right-of-way for the four-laning of State Road 46;
 2. SAA to bear cost of approximately \$225,400.00 to remove and relocate the new fence onto the new right-of-way line, and reconnection of the Airport's perimeter road with the stabilized roadway.

As a result of the FDOT's need for Airport-owned right-of-way to facilitate the expansion of State Road 46, the FDOT conducted an appraisal in April 2007. The appraisal indicated a market value of \$1,740,000 for 14.669 acres of right-of-way along State Road 46. The appraisal also included a cost to cure of \$225,400.00 for the SAA to pay for the removal and relocation of the new fence and reconnection of the Airport's perimeter road with the stabilized roadway.

At the October SAA Board meeting, the Board authorized staff to have an independent appraisal conducted on the subject property. Subsequently, the property was assessed and appraised at \$1,893,360.00 plus \$160,000.00 for fence relocation, for a total of 2,053,600.00. The difference between the two appraisals is \$313,600.00.

At the November SAA Board Meeting, the Board authorized staff to enter into negotiations with FDOT for the sale of this right-of-way. At this time, the FDOT has made an offer of \$1.7 million for the 14.669 acres of right-of-way; the SAA would pay the estimated \$225,400.00 for relocation of the fence and reconnection of the perimeter road, and donate the \$313,600.00 difference between the appraisals back to the FDOT. The net gain to the SAA would be approximately \$1,514,600.00, plus a new fence and perimeter road.

Note: The expansion of State Road 46 will provide the Airport with several capital improvements, including four access turnouts onto State Road 46 and a new frontage road to be constructed initially as a detour roadway but will remain for the Airport's use after construction. According to the FDOT appraisal, the value of the detour road is estimated at \$700,000.00, an amount that far exceeds and negates the difference of \$313,600.00 between the two appraisals. In addition, the Airport will greatly benefit from the improvement of State Road 46 as one of the Airport's primary access roads. The four access turnouts are located at Starport Way, Seminole County Fire Station 41 (driveway), Frog Alley and Beardall Avenue. Staff recommends that the SAA request that the FDOT add additional access turnouts at the median cuts at Summerlin Avenue, Brisson Borrow Pit Road, and Granby Avenue, as a condition of our acceptance of their offer.

Staff recommends approval of the following:

1. Acceptance of FDOT offer of \$1.74 million for purchase of 14.669 acres of SAA-owned right-of-way for the four-laning of State Road 46, and donation of the \$313,600.00 appraisal difference donated back to the FDOT, with the condition that FDOT add access turnouts for SAA at the median cuts at Summerlin Avenue, Brisson Borrow Pit Road and Granby Avenue.*
2. SAA to bear the cost of approximately \$225,400.00 to remove and relocate the new fence onto the new right-of-way line, and reconnect the Airport's perimeter road with a stabilized roadway.

*Subject to completion of SAA purchase of the additional two properties in Frog Alley that front on SR 46, and approval of the City of Sanford and the FAA.

Motion by Board Member Pieters, seconded by Board Member Eckstein, to approve Discussion Agenda Item B, subject to Counsel approval of the transaction process.

- C. Consider approval of and authorization to execute the Seminole County Multi-Agency Gang Task Force (MAGTF) agreement between Seminole County Sheriff's Office, Altamonte Springs Police Department, Casselberry Police Department, Lake Mary Police Department, Longwood Police Department, Oviedo Police Department, Sanford Police Department, Winter Springs Police Department, and Sanford Airport Police Department.

The Sanford Airport Police Department has been asked to participate in the newly created Seminole County Multi Agency Gang Task Force (MAGTF), an intelligence-led, data-driven, multi-jurisdictional task force. The intent of the MAGTF is to take a proactive approach and prevent the infiltration of gangs into our communities by reducing or eliminating risk factors that facilitate growth of

criminal street gang activity. The purpose of the MAGTF is to provide a mechanism for Seminole County Law Enforcement agencies to share investigative information and develop collaborative enforcement efforts towards targeted gang crime and/or violence occurring in Seminole County.

The scope of MAGTF shall be limited to law enforcement agencies sharing of information, surveillance and probation compliance of targeted gang members in Seminole County. The Governing Board of the MAGTF will be composed of law enforcement representatives from within Seminole County and its partners within this agreement, and shall meet quarterly, at a minimum, to disseminate information and review policy, objectives and strategies. Each party agrees to furnish necessary equipment and resources to render services to the MAGTF. The MAGTF agreement shall remain in full force and effect until September 30, 2008.

Staff recommends approval and authorization to execute the Seminole County Multi-Agency Gang Task Force (MAGTF) agreement between Seminole County Sheriff's Office, Altamonte Springs Police Department, Casselberry Police Department, Lake Mary Police Department, Longwood Police Department, Oviedo Police Department, Sanford Police Department, Winter Springs Police Department, and Sanford Airport Police Department.

Motion by Board Member Gibson, seconded by Board Member Cattell, to approve Discussion Agenda Item C. Motion passed.

11. OTHER BUSINESS

President Dale briefed the Board on all the vacant Airport properties. Board Member Eckstein questioned the status for accounts receivable. President Dale stated it is not bad; he meets with staff every week to discuss the accounts. Approximately \$120,000.00 is received from the leases; however, President Dale recommended the Airport find an independent real estate broker in order to list the vacancies.

12. COMMENTS FROM THE PUBLIC

None

13. ADJOURN FOR EXECUTIVE SESSION

The regular meeting was adjourned at 10:37 a.m. for a break before the executive session.

14. EXECUTIVE SESSION – JETT AIRE VS. SAA

15. RECONVENE

The regular meeting reconvened after the executive session.

16.ADJOURNMENT

There being no further business, the regular meeting was adjourned after the executive session.

Respectfully submitted,

Larry A. Dale, President & CEO
/dmm



SANFORD AIRPORT AUTHORITY
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www.orlandosanfordairport.com

November 8, 2007

Via email: legals@mysanfordherald.com

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

Attn: Patti, Legal Classified

Please publish the following Public Notice one (1) time in the **Wednesday's edition (November 14, 2007) of the Seminole 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 December meeting on Tuesday, December 4, 2007, 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.

Notice is hereby given that the final agenda item for the meeting will be an Executive Session to discuss "Jett Aire vs. Sanford Airport Authority" [Case No. 99-CA-2155-15]. Participants in the Executive Session will be SAA Board Members, SAA President/CEO, SAA Counsel – Shutts & Bowen, LLP; SAA Litigation Counsel – James B. Byrne, Jr., Esq., Sherry Kern, Esq.; and a court reporter. All others will be excluded during this Executive Session.

**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, December 4, 2007, 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 will be held on Tuesday, December 11, 2007, at 9:00 a.m., in the Sanford Airport Authority Executive Offices Board Room, A. K. Shoemaker Domestic Terminal, 1200 Red Cleveland Boulevard, Sanford, Florida. Scheduling and information is available by contacting the Vice President of Operations at (407) 585-4006.

USER GROUP

The Airport User Group meeting will be held on Tuesday, December 11, 2007, at 10:30 a.m., in the Sanford Airport Authority Executive Offices Board Room, A. K. Shoemaker Domestic Terminal, 1200 Red Cleveland Boulevard, Sanford, Florida. Scheduling and information is available by contacting the Vice President of Operations at (407) 585-4006.

DESIGN REVIEW COMMITTEE (DRC)

The Sanford Airport Design Review Committee (DRC) meetings are conducted on the first Wednesday of each month unless otherwise posted. The next meeting will be held on Tuesday, December 11, 2007, at 10:00 a.m., in the Authority's Executive Offices Board Room, A. K. Shoemaker Domestic Terminal, 1200 Red Cleveland Boulevard, Sanford, Florida. 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

PUBLIC NOTICE

Executive Sessions after Board Meeting

Notice is hereby given that the final agenda item for the meeting will be an Executive Session to discuss "Jett Aire vs. Sanford Airport Authority" [Case No. 99-CA-2155-15]. Participants in the Executive Session will be SAA Board Members, SAA President/CEO, SAA Counsel – Shutts & Bowen, LLP; SAA Litigation Counsel – James B. Byrne, Jr., Esq., Sherry Kern, Esq.; and a court reporter. All others will be excluded during this Executive Session.

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 work-session 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