

**MINUTES OF THE REGULAR MEETING OF THE
SANFORD AIRPORT AUTHORITY
TUESDAY, FEBRUARY 6, 2007**

- PRESENT:** G. Geoffrey Longstaff, Chairman
Clyde H. Robertson, Jr., Vice Chairman
Tim Donihi, Secretary/Treasurer
David L. Cattell
Whitey Eckstein
William R. Miller
John A. Williams
Comm. Bob Dallari, County Liaison
Richard A. Burt, Airport Counsel
- ABSENT:** Colonel Charles H. Gibson
Brindley B. Pieters
Mayor Kuhn, City 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, Lease Manager
- OTHERS PRESENT:** Annabelle DiCarlo, AVCON
Tracy Forrest, Winter Park Construction
Larry Gouldthorpe, OSI
Krysty Kress, S.E. Ramp Development
Bill McGrew, PBS&J
Genean McKinnen, Alamo/National
Doug Norman, HTA
Sabrina O'Bryan, Seminole County
Roger Phillips, Starport
Jack Reynolds, JRA, Inc.
Keith Robinson, OSI
Kevin Spolski, Spolski Construction
Bob Tunis, City of Sanford Economic Dev. Director

1. INTRODUCTION OF GUESTS AND CALL TO ORDER

The meeting was called to order at 8:30 a.m. Chairman Longstaff welcomed the new Board Member Mr. David L. Cattell.

2. ADVERTISEMENT OF MONTHLY MEETING

Copies attached.

3. APPROVAL OF MINUTES OF THE REGULAR MEETING HELD ON TUESDAY, JANUARY 9, 2007.

Motion by Board Member Robertson, seconded by Board Member Eckstein, to approve the minutes from the regular meeting held on Tuesday, January 9, 2007.

Motion passed.

4. PRESIDENT'S REPORT

President Dale reported on the following:

- A. SIS road – Has been paved. Will pave the parking lot if funds are available. Under discussions with Department of Transportation (DOT) regarding the right-of-way on SR 46. DOT may pay for the right-of-way, allowing the airport to use the money to match the 25% portion on the 75% - 25% SIS grant. Any offer made would be brought to the Board for approval. The money can then be applied to the 25% of the \$3.8 million SIS grant for which the Sanford Airport Authority is responsible.
- B. Terminal Ramp Expansion – Project to expand the International Ramp to the east. Project is ahead of schedule.
- C. Extension of Runway 9R-27L – Bid opening to take place on February 8, 2007. PBS&J will help assess and make sure the lowest bidder is qualified. The grant will be requested once the lowest bidder is determined. Board Member Miller wondered if the runway could be used for commercial use. Jack Reynolds stated the runway is designed for twin landings. For take-off, the threshold could be moved back. However, once it can be justified there is a need for the runway to become commercial, the runway would need to be rebuilt in order to widen and strengthen it. Board Member Miller realizes the airport has restrictions regarding the bidding process, but he cautioned the airport to get “tougher” with the bids.
- D. Parking Garage – Scheduled to be completed by April 2007. Liquidated damages were effective November 11, 2006. Board Member Miller wondered if the quality control issues had been resolved. President Dale stated the threshold inspector is satisfied with the repairs. Doug Norman stated there were no structural integrity problems; ACI is working on some aesthetic issues.
- E. Attorneys' Fees – Discussion of attorneys' fees. Percentages are divided as follows:

8% - General Employment Matters

62% - General Representation
7% - Jackie Cockerham Lawsuit
22% - Tenant Litigation

- F. Eagle nest issue – There is a safety issue regarding three eagle nests near the airport. Under 14CFR Part 139337 the airport must have a wildlife management program. It mandates that if there is a wildlife hazard, the airport must take immediate action to deal with said hazard. During the last Board meeting, it was the consensus of the Board for President Dale to work in conjunction with the Audubon Society, U.S. Fish and Wildlife, Florida Fish and Wildlife, and USDA to get the necessary permits for removal of two eagle nests. A third nest was found at a later time. An amended permit, to include the third nest, was issued on February 5, 2007. At the time of the meeting SAA had not received an appeal; however, it is expected that the Audubon Society will file a challenge to the permit request. If the permit gets an administrative appeal, then the permit is voided. Removal cannot be done without the Florida permit. President Dale wondered if the airport could seek an injunction. Richard A. Burt stated that administrative judges do not have the authority to do an injunction. The airport could go to Federal court (and State court), with the hope that a Federal judge would mandate/overwrite a state permit. In his opinion President Dale has done everything possible to mitigate liability; however, this is a serious public safety issue. The airport is currently protected because it has documented the situation, and wants to do what is needed and is not allowed to do so. The main concern now is to keep the public safe. President Dale stated he had asked the Audubon Society to indemnify the airport if they do not allow the airport to proceed. The Audubon Society would only help if the airport receives the permit. Board Member Miller wondered if pilots have been informed of the issue, to further lessen liability. The Tower and ATIS are giving warnings of eagles in the area to departing/arriving aircraft. Motion by Board Member Eckstein, seconded by Secretary/Treasurer Donihi, to authorize President Dale to use all avenues available to resolve the bald eagle nests issue. Motion passed. Status report attached.
- G. Article - Discussion of article "Airport Begins to Stretch Wings" published on January 31, 2007.
- H. Florida Airport Council (FAC) 2007 State Summit (Legislative Conference) – From February 7, 2007 to February 8, 2007 in Tallahassee. Attendees are scheduled to leave on Wednesday, February 7th at 8:00 a.m. from Avion Jet Center; returning on Thursday, February 8th by 11:00 a.m.
- I. Extension of Runway 9L-27R – Received authorization from the FAA to proceed with Benefit Cost Analysis (BCA). Motion by Board Member Eckstein, seconded by Board Member Williams, to authorize President Dale to proceed with the Benefit Cost Analysis (BCA), regarding the extension of Runway 9L-27R, at a cost not to exceed \$100,000.00. Motion passed.

Board Member Eckstein wondered what was the status of the new Delta Connection Academy hangar. President Dale stated Delta Connection Academy opted to build it themselves.

Chairman Longstaff wondered what was the status of the Access Road Streetscape. President Dale stated the only delay is because FPL still needs to run conduit for one of the wells. Nothing can be planted without having the power for the irrigation water. Will be done by the end of February 2007.

5. COUNSEL'S REPORT

None

6. TBI REPORT

TBI President Larry Gouldthorpe reported on the following:

A. Monthly Statistics for January 2007

- i. International traffic total
January 2007 – **32,756** passengers
- ii. Domestic traffic total
January 2007 – **53,878** passengers
- iii. Combined total
January 2007 – **88,974** passengers
- iv. Percentage
UK traffic is up 3% compared to same time last year. Domestic traffic is up 22% compared to same time last year. International traffic is up 19% compared to same time last year. Year to date passenger count is up 23% compared to same time last year.

Board Member Eckstein mentioned that CNBC discussed Allegiant Air's progress and business plan.

B. Airlines/Tour Operators Update

- i. First Choice Airways – First Choice started flights from Bristol, England. It is the first time that point of origin has been served in Florida.
- ii. Allegiant – Allegiant discussed expansion of summer schedule. Two to three destinations may be added in May 2007. Board Member Miller wondered what Allegiant's maintenance schedule was like; he had not heard any complaints from the public. Mr. Gouldthorpe stated their schedule integrity is fantastic due to their superior maintenance of their fleet.

- iii. Airport Conference – An airport conference will be held in Orlando on February 19, 2007, with approximately 1,000 attendees. Larry Dale has been invited to introduce the conference keynote speaker and give the welcoming remarks.
- iv. Florida Airport Council (FAC) 2007 State Summit (Legislative Conference) – Keith Robinson and David Ackley will attend the conference on behalf of Larry Gouldthorpe.

7. LIAISON REPORTS

City of Sanford

None

Seminole County

Comm. Dallari discussed the County's strategic plan and after meeting with President Dale, the airport's priorities for the next five years (airlines incentive packages, commuter rail, convention space). The study is being revised to possibly include some type of convention space in Seminole County.

8. CHAIRMAN'S REPORT

Chairman Longstaff requested the September 4, 2007 meeting be moved to September 11, 2007. The September Board meeting will be held on September 11, 2007 at 8:30 a.m.

9. CONSENT AGENDA

- A. Consider approval of Addendum B to Lease No. 2003-03 with GENESIS MFG AND ENGINEERING, INC. for Building No. 37, located at 3018 Navigator Avenue (Warehouse/Office).

Staff recommends approval of Addendum B to Lease No. 2003-03 with GENESIS MFG AND ENGINEERING, INC. for Building No. 37, located at 3018 Navigator Avenue (Warehouse/Office). Addendum B extends the lease term for two (2) additional years, effective February 1, 2007. The building consists of 1,552 square feet, at \$3.75 per square foot. The annual rental rate is \$5,820, an increase of \$388.00; the monthly payment is \$485.00 exclusive of taxes.

- B. Consider approval of Addendum A to Lease No. 2006-14 with HARDY MANAGEMENT, LLC for 11.28 acres of land, located at 3050 Mellonville Avenue (Lumber and building materials).

Staff recommends approval of Addendum A to Lease No. 2006-14 with HARDY MANAGEMENT, LLC for 11.28 acres of land, located at 3050 Mellonville Avenue

(Lumber and building materials). Addendum A extends the rental commencement date from February 1, 2007 to June 1, 2007, as requested by Hardy Management (84 Lumber Company).

- C. Consider approval of Addendum B to Lease No. 2003-42 with MILLWORK INTERNATIONAL, INC. for Building No. 142-W, located at 1143 30TH Street (Warehouse/Office).

Staff recommends approval of Addendum B to Lease No. 2003-42 with MILLWORK INTERNATIONAL, INC. for Building No. 142-W, located at 1143 30TH Street (Warehouse/Office). Addendum B changes the amount of square footage of the building from 10,832 square feet to 10,448 square feet, at \$4.12 per square foot. The annual rental rate is \$43,055.17; the monthly payment is \$3,587.93 exclusive of taxes.

- D. Consider approval of Addendum B to Lease No. 2004-04 with WAYNE DENSCH DEVELOPMENT COMPANY for Building No. 423, along with 8,520 square feet of land, located at 1900 E. Airport Boulevard (Corporate Hangar).

Staff recommends approval of Addendum B to Lease No. 2004-04 with WAYNE DENSCH DEVELOPMENT COMPANY for Building No. 423, along with 8,520 square feet of land, located at 1900 E. Airport Boulevard (Corporate Hangar). Addendum B extends the lease term for two (2) additional years, effective March 1, 2007. The building consists of 4,900 square feet, at \$6.60 per square foot. The annual rental rate is \$32,340.00, an increase of \$2,940.00; the monthly payment is \$2,695.00 exclusive of taxes.

Board Member Eckstein wondered what were the criteria used when determining an increase in rent. President Dale clarified that increases are based on the age of the building, and the condition/history.

Motion by Board Member Eckstein, seconded by Board Member Robertson, to approve the Consent Agenda Items A through D.

Motion passed.

10. DISCUSSION AGENDA

- A. Consider approval of solicitation for Request For Proposal for rental car operation concessionaires.

Staff recommends that the Board authorize the advertisement of a Request For Proposal for five (5) rental car operation concessionaires. Current concessionaires are:

- 1) Alamo-National (Vanguard Car Rental USA, Inc.)
- 2) Avis Rent A Car System, LLC.
- 3) Dollar Rent A Car, Inc.
- 4) Enterprise Rent-A-Car Company
- 5) Hertz (The Hertz Corporation)

Motion by Board Member Eckstein, seconded by Secretary/Treasurer Donihi, to approve the Discussion Agenda Item A; authorizing President Dale to proceed with advertisement of a Request For Proposal for five (5) rental car operation concessionaires, subject to counsel review.

Motion passed.

11. OTHER BUSINESS

None

12. COMMENTS FROM THE PUBLIC

None

13. REMINDER OF NEXT BOARD MEETING (TUESDAY, MARCH 6, 2007)

14. ADJOURNMENT

There being no further business, the meeting was adjourned at 10:08 a.m.

Respectfully submitted,

Larry A. Dale, President & CEO
/dmm



SANFORD AIRPORT AUTHORITY
1200 Red Cleveland Boulevard
Sanford, Florida 32773
(407) 585-4001 • Fax (407) 585-4045
www.orlandosanfordairport.com

January 17, 2007

Via email: legals@seminoleherald.com

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

Attn: Patti, Legal Classified

Please publish the following Public Notices one (1) time in the Sunday edition (January 21, 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 February meeting on Tuesday, February 6, 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) 585-4021.

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) 585-4021.

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) 585-4021 if you have any questions.

Sincerely,

Diana M. Muñiz-Olson
Lease Manager

PUBLIC NOTICE

BOARD MEETING

The regular meeting of the Sanford Airport Authority will be held on Tuesday, February 6, 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) 585-4021.

SANAC

The Sanford Airport Noise Abatement Committee (SANAC) meeting will be held on Tuesday, February 13, 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, February 13, 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) meeting scheduled for the month of February has been cancelled. Information may be obtained by calling (407) 585-4000.

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) 585-4021.

Larry A. Dale
President & CEO



STATUS REPORT
REMOVAL OF EAGLE'S NESTS
February 06, 2007

1. In late October, specifically October 24 and October 26, as well as subsequent dates, airport operations personnel began noticing a large number of bald eagles congregating (loafing) on the runways, taxiways, and surrounding areas. This was a new occurrence of this type of wildlife at the Orlando Sanford International Airport, which is documented in our daily wildlife reports.
2. On November 2, 2006, the Sanford Airport Authority (SAA) sent a letter to U.S. Fish and Wildlife (USFWS) notifying them of up to 10 bald eagles in the aircraft operating areas and requesting permission to harass bald eagles. We also informed them that we feared that a wildlife strike was imminent.
3. On November 6, 2006, we received permission to act as agents to harass under U.S. Fish and Wildlife Services permit # TE836697-3.
4. On November 16, 2006, airport operations personnel found the nest located north of the airport on private property, but within hundreds of feet of an approach to Runway 18.
5. On November 17, 2006, the airport experienced an eagle strike on an aircraft. A copy of the airport incident report and a copy of the bird strike report are attached to this email.
6. On November 20, 2006, USFWS issued permit allowing SAA to harass bald eagles. Permit # TE139989-0.
7. On December 1, 2006, airport operations personnel found the nest located to the east of the airport by following an eagle that was being harassed. This nest was also on private property, about 50 yards over the airport property line and within roughly 2,000 feet of all four airport runways.
8. On December 27, 2006, SAA submitted harassment activity report to USFWS, in Atlanta, GA.
9. On January 5, 2007, Linda Berkowitz, Team Leader, Airport Certification and Safety, with the FAA, forwarded a letter to USFWS requesting invocation of the emergency consultation process provided for under 50 CFR Section 402.05.
10. On January 8, 2007, the USFWS granted invocation of the emergency consultation process and removal of two trees containing nests.
11. On January 8, 2007, SAA requested Audubon National Center for Birds of Prey, in Maitland, FL assist us in investigating contents of the nests and in the removal when appropriate. At that time, they were agreeable to the idea of assisting us.

12. On January 9, 2007, Linda Berkowitz, Team Leader, Airport Certification and Safety, with the FAA, forwarded a letter Florida Fish and Wildlife (FFWS) requesting their concurrence with the invocation of the emergency consultation process by USFWS and requesting an appropriate permit be issued by their office.
13. On January 12, 2007, FFWS, issued a permit allowing "Incidental Take of Listed Species". This permit anticipated finding chicks or eggs in the nests and therefore required the preparation of a translocation plan. SAA personnel began coordinating with Birds of Prey personnel and other environmentalists for determination of what was in the nests.
14. On January 23, 2007, Lynda White, from the Birds of Prey Center visited the airport. Airport personnel took her to the locations of the nests and showed her where most of the loafing was occurring on the airport. Copies of the emergency consultation letter and state permit were provided to her on this day.
15. On January 24, 2007, SAA consultants identified a third nest on airport property, to the south. This nest is located a little more than 1,000 feet from the approach to Runway 36. The consultants then investigated the nest via helicopter, ensuring they stayed far enough away so as not to disturb the eagles. During this flight, it was discovered that the nest to the north contained an eagle in it that did not move from the bottom of the nest; the nest to the east contained two chicks that were estimated to be less than one month old; and, the nest to the south contained two chicks that were estimated to be one month to one and a half months old. (There is a possibility that the nest to the north has now been abandoned. In recent days, no activity has been evident, leading us to believe that the eagle killed on November 17th may have been from this nest.)
16. On January 24, 2007, airport personnel ceased harassing the eagle nests, in compliance with the harassment permit issued to SAA on November 20, 2006.
17. On January 25, 2007 both USFWS and FFWS were notified verbally of the existence of the third nest and the findings of the contents of the nests.
18. On January 26, 2007, requests were submitted to USFWS and FFWS by the FAA to modify the permits issued on January 8, 2007 and January 12, 2007 to cover all three nests.
19. Following January 26, 2007, numerous phone calls and emails were sent between USFWS, FFWS, Birds of Prey, and SAA. It was during this time that SAA began hearing that amendments to the permits might not be forthcoming, that Birds of Prey was notifying both the State and Federal agencies that they would not be working with SAA to do anything with the eagles, chicks, or nests, and that both agencies might deny the amendment requests and rescind what had been previously issued.
20. As of February 2, 2007, both agencies have verbally stated that they do intend to positively modify their respective letters/permits, allowing removal of the nests and trees, assuming that there are no chicks or eggs in the nests. Otherwise, SAA must coordinate with qualified entities of the airports choosing for translocation or wait until the chicks have fledged.
21. On February 5, 2007, letters were sent by Airport Counsel, Kenneth Wright, to Florida Fish & Wildlife Conservation Commission (Kenneth Haddad, Executive Director), U.S. Fish Wildlife Service (Sam Hamilton, Regional Director) and the FAA (Linda

Berkowitz, Airport Certification and Safety Team Leader) requesting authorization to proceed with action to eliminate the threat posed by these eagles.

22. On February 5, 2007, Airport received Permit Amendment from State of Florida Fish and Wildlife Conservation Commission.
23. On February 5, 2007, Airport received email and telephone call from Candace Martino of the U.S. Fish and Wildlife Service saying a permit is forthcoming, but needs monitoring reports. Airport will have reports delivered to Ms. Martino, and she anticipates that she will be working on the letter (permit) on Wednesday, February 7.

We believe that the permit to be issued by FFWS will be contested by Audubon. Though their actions are not a function of any State or Federal agency, your knowledge of their intentions is important so that you have the full picture of what we are facing.