

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

PRESENT: G. Geoffrey Longstaff, Chairman
Clyde H. Robertson, Jr., Vice Chairman
Tim Donihi, Secretary/Treasurer
David L. Cattell
Whitey Eckstein
Colonel Charles H. Gibson
William R. Miller
Brindley B. Pieters
John A. Williams
Comm. Jack T. Bridges, City Liaison
Comm. Bob Dallari, County Liaison
Kenneth Wright, Airport Counsel
Richard A. Burt, Airport Counsel

ABSENT: None

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
Don Poore, Finance Manager
Diana M. Muñiz-Olson, Lease Manager

OTHERS PRESENT: Ron Curtis, Curtis & Associates, Inc.
Annabelle DiCarlo, AVCON
Tracy Forrest, Winter Park Construction
Larry Gouldthorpe, OSI
Krysty Kress, S.E. Ramp Development
Bill McGrew, PBS&J
D'Anne Mica, Mica McCormick
Doug Norman, HTA
Stan Poloski
Jack Reynolds, JRA, Inc.
Frank Sheppard, Esq.
Kevin Spolski, Spolski Construction
Ernie Stallings
Bob Tunis, City of Sanford Economic Dev. Director

1. INTRODUCTION OF GUESTS AND CALL TO ORDER

The meeting was called to order at 8:33 a.m.

2. ADVERTISEMENT OF MONTHLY MEETING

Copies attached.

3. APPROVAL OF MINUTES OF THE REGULAR MEETING HELD ON TUESDAY, FEBRUARY 6, 2007 AND MINUTES OF THE SPECIAL MEETING HELD ON TUESDAY, FEBRUARY 27, 2007.

Motion by Secretary/Treasurer Donihi, seconded by Board Member Williams, to approve the minutes from the regular meeting held on Tuesday, February 6, 2007 and minutes from the special meeting held on Tuesday, February 27, 2007.

Motion passed.

4. TBI REPORT

Chairman Longstaff stated TBI President Larry Gouldthorpe had requested to give his report early in the meeting, due to a previous engagement.

Mr. Gouldthorpe reported on the following:

A. Monthly Statistics for February 2007

- i. International traffic total
February 2007 – **34,214** passengers
- ii. Domestic traffic total
February 2007 – **61,941** passengers
- iii. Combined total
February 2007 – **98,829** passengers
- iv. Percentage
UK traffic is up 15% compared to same time last year. Domestic traffic is up 32% compared to same time last year. International traffic is up 10% compared to same time last year. Year to date passenger count is up 26% compared to same time last year.

B. Airlines/Tour Operators Update

Allegiant will start operations to Wichita, Kansas on May 22, 2007.

C. Miscellaneous Updates

- i. Pre-proposal meeting with rental car concessionaires – Meeting to discuss upcoming bid for rental car concessions. Six companies were in attendance. Bids are expected by April 23, 2007. Mr. Gouldthorpe hoped to present the proposals to the Board on May's board meeting.
- ii. Food/beverage program – OSI is working on improving its food and beverage program. They are in the process of compiling information from the passengers, as to which brands (of food) they prefer.
- iii. ARN Conference, February 19, 2007 – Mr. Gouldthorpe commended President Dale on the great job he did at the conference. President Dale had been invited to introduce the conference keynote speaker and give the welcoming remarks.

Board Member Pieters wondered if Boston Maine (formerly Pan Am) would increase their operations. Mr. Gouldthorpe stated that at the moment Boston Maine is doing specialized charter programs; it is not likely they will increase their operations at this time.

President Dale commented that Orange County is doing an advertising campaign, hoping to attract more British tourists. He hoped the airport could benefit from it.

5. PRESIDENT'S REPORT

President Dale reported on the following:

- A. PBS&J Task Order – President Dale requested approval of a second task order for construction phase services for the extension of Runway 9R-27L, in the amount of \$349,483.76. Motion by Secretary/Treasurer Donihi, seconded by Board Member Gibson, approving PBS&J task order, conditional upon receiving grant funds. Motion passed.
- B. New line of credit – President Dale requested authorization to negotiate line of credit with CNL Bank in the amount of \$4 million, to replace the current Bank of America's line of credit. The increased line is needed to cover the \$3.9 million of FAA entitlement funds that will not be received until Congress passes an appropriations spending bill for the current fiscal year. Motion by Board Member Robertson, seconded by Board Member Williams, authorizing President Dale to negotiate line of credit with CNL Bank, conditional upon approval of the Board. Motion passed.
- C. Terminal Ramp Expansion – Project is on budget and on time. It is expected to be finished by mid April 2007.
- D. Extension of Runway 9L-27R – The airport has to resubmit the grant to ADO. The Benefit Cost Analysis (BCA) will be done, followed by the Environmental Assessment (EA).

- E. Parking Garage – Work on the bridge and mezzanine is progressing. Scheduled to be completed the last week in April 2007.
- F. Attorneys' Fees – Discussion of attorneys' fees. Percentages are divided as follows:
 - 30.1% - Eagles nests issue
 - 35.6% - General Representation
 - 7.1% - Jackie Cockerham Lawsuit
 - 20.6% - Parking Garage issues (ACI)
 - 5.7% - Runway Expansion & Noise Mitigation
 - 0.9% - Transportation Lawsuit
- G. Article – Discussion of article "Flying high" published on March 2, 2007 in the Orlando Business Journal.
- H. DBE – Part of the Rental Car Concession Request for Proposal was that the rental car concessions would in good faith try to meet the DBE goals. The airport's overall DBE goals are 15.45%, whereas the rental car concessions DBE goals are 5%. Alpha Airport Services has voluntarily submitted a DBE plan, expressing interest in participating.

Board Member Pieters wondered what other big projects were being done, other than the Parking Garage and the hotel. Extension of Runway 9R-27L and extension of Runway 9L-27R are the biggest projects. Other upcoming projects include: 84-Lumber facility, Delta Connection Academy's new hangar, and two general aviation hangars.

President Dale turned the floor over to counsel for an update regarding the eagle nests issue.

- I. Eagle nest issue – Kenneth Wright, counsel to SAA, discussed the eagle nest issue. Upon noticing a group of loafing eagles congregating on the runways (on October 24, 2006 and October 26, 2006), President Dale notified the FAA that there was an emergency situation, posing an eminent threat to property loss and safety. Not long after (on November 17, 2006), there was an eagle strike, killing the bird and causing substantial damage to the aircraft. FAA acknowledged and agreed it was an emergency situation, and referred the airport to an informal consultation with the U.S. Fish & Wildlife. U.S. Fish & Wildlife, given the fact the eagles are protected, referred the airport to Florida Fish & Wildlife to get the necessary permits from the Florida Fish & Wildlife Conservation Commission, and the assistance of certified eagle handlers to relocate the eggs/chicks.

President Dale had numerous conversations with U.S. Fish & Wildlife. Florida Fish & Wildlife Conservation Commission issued a permit (on February 5, 2007-amended permit to include a third nest), allowing for the relocation of the

chicks/nests, removal of the nests and specimen trees. Audubon Society voiced some objections to counsel and President Dale, and challenged the permit by filing a Chapter 120 (petition for an administrative hearing, filed on February 8, 2007). Chapter 120 allows any agreed party to challenge any State agency's issuance of a permit or final action. It renders the permit void. If carried to full extent, the process may take six to nine months, even a year. The purpose of the process/trial would be to determine the airport's entitlement to the permit. Both counsel and airport staff kept constant communication (two to three days) with Florida Fish & Wildlife Conservation Commission and U.S. Fish & Wildlife. Both agencies were posturing themselves to make no decision. In the event the eagles were removed and there were complaints, they wanted to be able to position themselves to say they instructed the airport not to do it. In the event there was human loss, they wanted to be able to say they instructed the airport to do it, but that the airport did not follow the right procedures. Since this was an emergency situation, counsel filed a Federal Court action complaint for declaratory relief (on Friday, February 23, 2007, naming the Audubon Society, U.S. Fish and Wildlife, Florida Fish and Wildlife, and FAA). An expedited hearing was filed (on Tuesday, February 27, 2007), seeking an order from the federal judge on the basis that FAA acknowledges this is an emergency situation. The airport is required to take immediate action if there is a wildlife hazard. Charles Lee from the Audubon Society contacted counsel to discuss a stipulated settlement. Due to it being an eminent threat to public safety, counsel could not enter into any discussions about a stipulated settlement that would delay the process further.

Counsel spoke with the Audubon Society General Counsel in Washington, D.C. At that time, they (Audubon Society) stated the Audubon Society was more concerned with public safety than with eagle protection. During the conversation Audubon Society reiterated several times that public safety far exceeded their concern about the eagles. The Audubon Society also stated they would dismiss the Chapter 120 (petition for administrative hearing) on the following day. No other Chapter 120 can be re-filed.

One of the nests, on the north side of SR 46, is on private land. There is some confusion because an estate owns it; the property has not been probated yet. The airport is having issues contacting the owner. Since immediate action needed to be taken, if the airport was still unable to contact the owner in New York, they could get permission from a family member and relocate the nest.

One of the requests made by the Audubon Society General Counsel was that the airport meet with the local Audubon Society and other agencies to discuss wildlife management options.

6. COUNSEL'S REPORT

Rick A. Burt, Esq. announced he will no longer work for Shutts & Bowen. His father has taken ill and needs his assistance in his legal practice. Mr. Burt stated he enjoyed

working as counsel for the airport. He also commented he enjoyed working with President Dale. Chairman Longstaff commended Mr. Burt on his job as counsel, and on his reasons for leaving Shutts & Bowen.

7. LIAISON REPORTS

City of Sanford

None

Seminole County

Comm. Dallari discussed that Seminole County is trying to build a convention center. A feasibility study is being made, stating where and how big the center will be. He will give a copy of the report to the Authority once it is completed.

8. CHAIRMAN'S REPORT

None

9. CONSENT AGENDA

- A. Consider approval of Lease No. 2007-03 with ALEXANDER C. CARSON for Building No. 303, located at 2850 Aileron Circle (Residential).

Staff recommends approval of Lease No. 2007-03 with ALEXANDER C. CARSON for Building No. 303, located at 2850 Aileron Circle (Residential). The lease shall have a one (1) year term, commencing on February 1, 2007. The annual rental rate is \$9,300.00; the monthly payment is \$775.00.

- B. Consider approval of Lease No. 2007-05 with COUNTRYWIDE INTERNATIONAL, INC. for Building No. 515-1, located at 2848 Mellonville Avenue (Warehouse/Office).

Staff recommends approval of Lease No. 2007-05 with COUNTRYWIDE INTERNATIONAL, INC. for Building No. 515-1, located at 2848 Mellonville Avenue (Warehouse/Office). The lease shall have a one (1) year term, commencing on March 1, 2007. The building consists of 1,500 square feet of office space, at \$7.75 per square foot. The annual rental rate is \$11,625.00; the monthly payment is \$968.75 exclusive of taxes.

- C. Consider approval of Addendum A to Lease No. 2005-17 with MIRO HOSPITALITY PROPERTIES, LLC for 5.72 acres of land, located on Airport Boulevard, immediately west of Don Knight Park (Hotel site).

Staff recommends approval of Addendum A to Lease No. 2005-17 with MIRO HOSPITALITY PROPERTIES, LLC for 5.72 acres of land, located on Airport Boulevard, immediately west of Don Knight Park (Hotel site). Addendum A extends the rental

commencement date from March 1, 2008 to September 1, 2008, as requested by Miro Hospitality Properties, LLC.

- D. Consider approval of Addendum A to Lease No. 2006-07 with ROBERT A. ROMERO for Building No. 302, located at 2836 Aileron Circle (Residential).

Staff recommends approval of Addendum A to Lease No. 2006-07 with ROBERT A. ROMERO for Building No. 302, located at 2836 Aileron Circle (Residential). Addendum A extends the lease term for one (1) additional year, effective April 1, 2007. The annual rental rate is \$9,300.00, an increase of \$300.00; the monthly payment is \$775.00

- E. Consider approval of Addendum D to Lease No. 2003-11 with ROBERT and DAWN TEDESCO for Building No. 527, located at 3880 Moores Station Road (Residential).

Staff recommends approval Addendum D to Lease No. 2003-11 with ROBERT and DAWN TEDESCO for Building No. 527, located at 3880 Moores Station Road (Residential). Addendum D extends the lease term for one (1) additional year, effective April 1, 2007. The annual rental rate is \$20,400.00, an increase of \$1,200.00; the monthly payment is \$1,700.00 exclusive of taxes.

Motion by Board Member Miller, seconded by Secretary/Treasurer Donihi, to approve the Consent Agenda Items A through E.

Motion passed.

10. DISCUSSION AGENDA

None

11. OTHER BUSINESS

None

12. COMMENTS FROM THE PUBLIC

None

13. ADJOURN FOR EXECUTIVE SESSION

The regular meeting was adjourned at 9:45 a.m. for a break before the executive session.

14. EXECUTIVE SESSION

The executive session was called to order at 10:00 a.m.

15. RECONVENE

The regular meeting reconvened at 10:13 a.m.

Motion by Board Member Eckstein, seconded by Board Member Williams, to accept the terms of the settlement agreement with Mrs. Cockerham, regarding Case No. 6:06-cv-806-Orl-28DAB.

Motion passed.

President Dale wondered what would be done next. Frank Sheppard stated a release had been prepared, and will be delivered to Mr. Moore for Mrs. Cockerham's execution. Once that is executed, the settlement check will be given. Mr. Sheppard would later do a stipulation asking the court to dismiss the case with prejudice.

Motion by Board Member Williams, seconded by Board Member Gibson, to ratify President Dale's signature on the settlement agreement with Mrs. Cockerham, regarding Case No. 6:06-cv-806-Orl-28DAB.

Motion passed.

16. REMINDER OF NEXT BOARD MEETING (TUESDAY, APRIL 3, 2007)

17. ADJOURNMENT

There being no further business, the regular meeting was adjourned after the executive session at 10:16 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

February 27, 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 Notices one (1) time in the Sunday edition (March 4, 2007) of the Seminole Herald Classifieds. Please confirm receipt of this advertisement by email to dmuniz@osaa.net.

REVISED PUBLIC NOTICE
SANFORD AIRPORT AUTHORITY

Notice is hereby given that the Sanford Airport Authority will conduct its March meeting on Tuesday, March 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.

The last item of business will be an Executive Session to discuss “Jacqueline Cockerham vs. Sanford Airport Authority” [Case No. 6:06-cv-806-Orl-28DAB]. Participants will be SAA Board Members, SAA President/CEO, SAA Counsel, and a court reporter from Orange Reporting. All others will be excluded during the 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 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. Muñoz-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. Muñoz-Olson
Lease Manager

PUBLIC NOTICE

BOARD MEETING

The regular meeting of the Sanford Airport Authority will be held on Tuesday, March 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, March 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, March 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) meetings are conducted on the first Wednesday of each month unless otherwise posted. The next meeting will be held on Wednesday, March 7, 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) 585-4000.

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

PUBLIC NOTICE

Executive Session after Board Meeting

The last item of business will be an Executive Session to discuss “Jacqueline Cockerham vs. Sanford Airport Authority” [Case No. 6:06-cv-806-Orl-28DAB]. Participants will be SAA Board Members, SAA President/CEO, SAA Counsel, and a court reporter from Orange Reporting. All others will be excluded during the 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) 585-4021.

Larry A. Dale
President & CEO