

**MINUTES OF THE REGULAR MEETING OF THE  
SANFORD AIRPORT AUTHORITY  
TUESDAY, MAY 3, 2011**

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**PRESENT:**                   **G. Geoffrey Longstaff, Chairman  
Tim Donihi, Vice-Chairman  
Stephen P. Smith, Secretary/Treasurer  
Tom Ball  
U. Henry Bowlin  
David L. Cattell  
Whitey Eckstein  
William T. Litton  
Brindley B. Pieters  
Commissioner Patty Mahany, City Liaison  
Commissioner Dick Van Der Weide, County Liaison  
Brett R. Renton, 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  
Jennifer Taylor, Project Coordinator  
Diana M. Muñiz-Olson, Executive Secretary**

**OTHERS PRESENT:**     **Krysty Carr, S.E. Ramp Hangar Development  
Joe DeCesare, White's Site Development, Inc.  
Marisol C. Elliott, Atkins  
Larry D. Gouldthorpe, TBI  
Robert Lacey, Gomez Construction  
Ben Lalikos, CNL Bank  
Geoff Lane, Starport  
Brady Lessard, CPH Engineers, Inc.  
Genean H. McKinnon, McKinnon & Associates  
Bill Miller  
Al Nygren, O.R. Colan Associates  
Jeremiah Owens, CPH Engineers, Inc.  
Jack Reynolds, JRA, Inc.  
Tim Shea, AVCON  
Kevin Spolski, Spolski Construction  
Craig Sucich, Atkins  
Robert White, White's Site Development, Inc.**

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1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND INTRODUCTION OF GUESTS

The meeting was called to order at 8:35 a.m., followed by the Pledge of Allegiance.

Chairman Longstaff welcomed Commissioner Van Der Weide, Commissioner Mahany, and former Board member, Bill Miller.

2. ADVERTISEMENT OF MONTHLY MEETING

Copies attached.

3. APPROVAL OF MINUTES OF THE REGULAR MEETING HELD ON APRIL 5, 2011

Motion by Board Member Pieters, seconded by Board Member Bowlin, to approve the minutes of the regular meeting held on Tuesday, April 5, 2011. Vote was taken, none opposed; motion passed.

4. PRESIDENT'S REPORT

President Dale reported on the following:

- A. Congratulations – President Dale announced Board Member Bowlin is the Florida State Sporting Clays “E” Class Champion for 5-Stand, Side-by-Side, and the 200-Bird Sporting Clays competition. Secretary/Treasurer Smith took second place for the Class E event; and was in the preliminary for the 5-Stand and the main event.

President Dale also congratulated Mr. Litton on his upcoming marriage.

The Board received invitations for an event hosted by Secretary/Treasurer Smith.

President Dale congratulated Board members who had birthdays in April and May.

- B. Aerials – President Dale distributed the aerials.
- C. Extension of Runway 9L-27R – Project is progressing well. The plans are at 90%. A big portion of the design has to do with the ILS component, which has to be approved by FAA Technical Operations in Atlanta and Washington. President Dale stated he has met/talked with FAA Technical Operations in Atlanta, Washington and Daytona. One of the problems is that the glideslope of Runway 9L-27R will be in the way of the future Taxiway Alpha extension. They are looking into moving the glideslope a little to the north, making it 410 ft from

the centerline of Runway 9L-27R. This will have some effect on the taxiway, and the taxiway will have to curve a little bit to the north. Because of this change, President Dale requested consent from the Board to change the Airport Layout Plan. Before the change is submitted to FAA Technical Operations, Avcon wants confirmation from the Board. Motion by Board Member Cattell, seconded by Board Member Donihi, to move the glideslope. Motion passed.

The only thing the Authority is waiting to be approved by the FAA (comments have already been received) is the approval of the design by FAA Facilities or Technical Operations. Because the Authority will pay for the project and then get reimbursed, this will be an FAA owned and operated ILS system. For this reason, they have to approve the design first.

Plans are progressing well. Project will go to bid in July or August. Estimated construction cost is approximately \$12.5 million; cost does not include the design, Benefit Cost Analysis, Environmental Assessment, or the land acquisitions. Total cost is approximately \$22 million, not including the \$10-\$12 million for the land acquisitions. Bryant Garrett briefed the Board on the financials. He stated the Authority gets \$4 million in entitlement funds. Two years ago, the Authority dedicated the 2011 (2010-2011) and 2012 (2011-2012) fiscal year entitlements, roughly \$8 million dollars, for this project. As there have been a few special projects that were critical, one of them being the removal of some electrical equipment out of the airfield, the ADO has allowed the Authority to use more (approximately 110%). Most of it is coming out of the \$8 million, with FAA matching that with another \$8 million; collectively the project is approximately \$30 million.

President Dale asked Mr. Garrett to brief the Board about the FDOT land acquisition grant. Mr. Garrett stated there was some fallout money from FDOT available (not dedicated to any purpose) that would be lost if not used by June 30, 2011.

In regards to the \$8 million from the FAA, Chairman Longstaff questioned if the Authority would have to do a grant anticipation note for borrowing (regarding the 2012 entitlements). Mr. Garrett explained there was no need for a grant anticipation note; it will just go into the normal grant process because the physical construction is scheduled to start when the 2012 fiscal year has started. In the event there are any delays with the grants, the Authority has enough in reserves.

President Dale stated the \$8 million (for land acquisition) is a force account project, and commended Diane Crews, Jennifer Taylor, and Al Nygren for their hard work. The first closing will be done on Friday. This project will take a lot of dirt (approximately 8-10 feet of dirt in some areas). President Dale stated there is no local borrow pit, and would like to get it in situ (on site). He showed on the

map the property where testing was previously done, and another property where testing is expected to be done once it is purchased.

D. Perimeter road – The project has gone out for bid. There were eight respondents. President Dale stated bid tabulations have been done, and he asked Jeremiah Owens to give the recommendation to the Board. Mr. Owens stated bids were received on April 15, 2011 at 2:00 p.m. The engineer's bid estimate for the project is approximately \$2.2 million. The lowest bid is for \$1,608,274.70, and all items required were included in the bid. Since then, CPH has requested a sub-breakdown showing they meet the intent of the specifications, due to questions by one of the respondent contractors. He clarified the awarded contractor must perform a minimum of 20% of the work of the project. Mr. Owens clarified he did not have the list with him, but the bidder is doing general conditions, all concrete, all demolition, some electrical, and some of the erosion control. CPH has requested their financial statements, list of equipment, and licenses; all of these are required documents. President Dale stated the bidder will also have to do (submit) a public construction bond and performance bond. Mr. Owens stated CPH will request the performance and surety bonds, affidavit and insurance requirements once the Board approves the contractor. President Dale stated the bond covers the City and the Airport as well. Mr. Owens recommended the project be awarded to the lowest bidder, Gomez Construction, in the amount of \$1,608,274.70. Secretary/Treasurer Smith questioned the spread in the bidding. Mr. Owen stated the highest bidder was right around \$3 million and the lowest \$1.6 (Gomez Construction). Board Member Pieters questioned which company was the second lowest. Mr. Owens stated the second lowest bidder was Massey Corporation at \$1,717,000.00, approximately \$108,000.00 more than the lowest bidder. The second and third bidders were only separated by approximately \$32,000.00. Board Member Bowlin inquired as to the estimated start date. Mr. Owens stated that it is estimated to start in approximately two months; the project will last about six months. President Dale clarified the project will start once the FAA grant is approved. Chairman Longstaff questioned if Gomez Construction met all the specifications. Mr. Owens stated they (Gomez Construction) did. Board Member Pieters stated he believes Gomez Construction has done a lot of work in Orlando. President Dale stated Gomez Construction has done a lot of work at the Airport on several jobs. Staff recommends awarding the project to Gomez Construction, per the consulting engineer's recommendations. Motion by Board Member Eckstein, seconded by Board Member Donihi, to award the perimeter road project to Gomez Construction; vote was taken, none opposed. Motion passed. Robert Lacey, General Manager with Gomez Construction, stated he looked forward to working with the Airport.

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E. Attorneys' Fees – Distribution and discussion of attorneys' fees.

F. TSA Opt-Out – President Dale stated Congressman Mica had requested John Pistole appear before his committee. Mr. Pistole refused, stating they do not

answer to the Transportation and Infrastructure Committee, they answer to Homeland Security. Peter King sponsored a bill that the undersecretary shall approve applications within 120 days and also reconsider those airports that have already applied for private screening. If he does not approve, he shall have a compelling reason, including a cost analysis. The bill also requires TSA to seek the input of the airport regarding what screening company they think is best or if they want to do it themselves. President Dale believes the bill will pass; however, they are not in session.

There is a lot of talk about the invasive pat-downs. Alaska has talked about bills outlawing 4<sup>th</sup> Amendment violation pat-downs. There has been several lawsuits that are pending. President Dale stated a former Miss USA claimed that at the Dallas Fort Worth Airport a TSA female employee had intentionally touched her private parts. Representative David Simpson of Texas has sponsored a bill that states it is a violation, and everybody doing that will be arrested and prosecuted. Custodial searches that have no probable cause cannot be done by any person other than a law enforcement officer. President Dale stated he had discussed with the Airport's TSA staff the incident regarding the six-year old girl being patted down. He believes more and more states will be doing similar bills (based on the 4<sup>th</sup> Amendment violation).

Regarding the three screening companies, President Dale stated he has gone as far as he can with the due diligence. He has received the financial statements, and confirmed they are all capable of doing it financially and with their experience. The three companies meet all the requirements for doing the RFP. They have given President Dale their teaming concept, and he will meet with Counsel to discuss. TSA will not accept the application until and if the authorization bill passes. President Dale stated it gives the Authority time to discuss this matter with Counsel (from SAA and the companies) and bring back a recommendation to the Board for approval. Secretary/Treasurer Smith questioned if there was a lot of deviation from what each company is proposing. President Dale stated the companies have pretty much the same options; the preferred methodology for the three companies was for them to be the prime, and the Authority the subcontractor.

- G. Budget Work Session – President Dale questioned when the Board wanted to meet to discuss the budget, before its approval at the July meeting. It was the consensus of the Board to have a specially called meeting on June 22, 2011 at 3:00 p.m.
- H. Wildlife Management Report – President Dale briefed the Board on the two recent birdstrikes. In the last five years there have been 8 eagle strikes, one yet to be confirmed (only one feather was found). The feather has been sent to the Smithsonian for identification. Prior to 2005-2006 the Airport did not have that many eagles, only one nest. At the time, the Airport had a U.S. Fish and Wildlife permit; however, the Florida Fish and Wildlife kept telling staff they do not issue

permits. U.S. Fish and Wildlife permit is subject to the State's permit, if any. President Dale stated he wrote a letter to the Director of Florida Fish and Wildlife asking for indemnity (since a permit could not be issued). The Director later replied they would yield to the experts of USDA, U.S. Fish and Wildlife, and the FAA who ordered the removal of the nest. Upon receiving this, the Authority took the nest down. Channel 9 trespassed on the Airport, stood on the nest, and interviewed somebody from Audubon. Fish and Wildlife sent the law enforcement officers to arrest President Dale for taking the nest down; however, he did have the proper permit and the letter from their director authorizing the removal. President Dale noted that is how serious things were at the time and believes this is the first eagle's nest ever taken down without having to face a grand jury. Eventually the State passed the law granting immunity to the airports. Fish and Wildlife promulgated a rule granting absolute immunity from criminal, civil, and/or any state agency regulation violation. State permits are not even needed anymore; makes no difference if the species is endangered or not. President Dale stated the Authority has received some complaints about protected birds; however, he clarified what the Authority is doing is not only legal but it is mandated by the law.

Board Member Pieters questioned how prevalent birdstrikes are in Florida. President Dale stated wildlife birdstrike data was not public information; however, after the La Guardia birdstrike, the FAA Director said it would become public information. The Authority has reviewed the data for comparison, from January of 2010 to March of 2011, and found that whereas SFB has had 30 strikes, OIA had 194 strikes. President Dale noted the tower staff at OIA does a great job, but this data shows strikes do not happen only at SFB. Board Member Pieters mentioned there was a discussion many years ago about bodies of water next to runways and their effect. President Dale stated there are ways to prevent attracting birds. The Kissimmee River basin and Lake Kissimmee are conducive to eagles nest. OIA had more dead eagles in that period of time than SFB; it is just that the press does not concentrate on them. President Dale stated the media focuses on him (and the Airport) for several reasons: 1) the wildlife conference of 2008; and 2) comments from Congressman Mica. On August 2008, the Airport hosted the wildlife conference (10<sup>TH</sup> Annual Joint Meeting of the Bird Strike Committee USA/Canada). Twenty-two countries were represented during the conference. President Dale was one of the speakers at the conference discussing his published research paper on wildlife. When Congressman Mica had a press conference after the La Guardia incident, he introduced President Dale as the nation's foremost authority on aviation wildlife. That is why the media comes when there is a birdstrike at Sanford. In that same period, OIA had 16 planes that were damaged by strikes; however, SFB had four. There were no ingestions in the same time period. The recent (bird) ingestion has been the first one occurring at SFB; however, OIA has had six ingestions in the same time period (one of them an eagle). President Dale noted that while OIA is doing a great job, SFB must be doing an outstanding job.

The day of that strike (the ingestion), the USDA wildlife damage biologist specialist was training the SFB staff. The Authority has removed approximately six eagles nests. One of the nests (at Starport) took a year to get a permit for removal. Even with an emergency take permit, they have a year to act on it. President Dale stated he contacted Congressman Mica's office, they called Atlanta, and the day after the meeting, they mailed a permit out for the removal of the nest at Bird Avenue. President Dale stated all the trees were not taken down originally because the City wanted to take them down in phases. He believes the eagles for a particular nest are dead. An eagle was eating a possum by the road and was struck and killed by a car. It is believed the other eagle from the nest was the one in the birdstrike. The Authority will remove the pine and cypress trees before the nests can be built. Commissioner Mahany questioned if the data includes statistics from the military. President Dale clarified it did; there is a program call B.A.S.H. (Bird Airport Strike Hazard team) specific for airports and military.

President Dale stated the Authority received a letter of investigation from the FAA in regards to the gopher tortoise. They told President Dale the intent of the letter is to help the Authority (when it responds to the letter) get the assistance from Congress in regards to federally protected birds and financing needed to get artificial turf for the safety area (for management of tortoises). One way to manage tortoises is to cover the area with artificial turf; however, it is expensive. The Authority has permits to relocate them, and is required to take them live. Another way to manage them is to entomb them; however, currently that cannot be done (is not allowed). The Authority removed 747 tortoises in the safety area when Runway 9L-27R was opened, at a cost of \$299,000.00. For the Runway 18-36 overlay project, 118 tortoises were taken out on the northern end alone. For the perimeter road it cannot be done without a permit. So far 90 tortoises have been removed; a total of 120 tortoises are expected to be removed. President Dale noted it can cost up to \$4,000.00 per tortoise relocation. Reason is so expensive is that if they are relocated to another area of the Airport, the Authority would have to give the land to the State and that is an FAA violation. The recipient site must be approved by the State if you move it outside of the Airport. Commissioner Mahany stated she has no problem with the fact you have to take birds down; however, she has deep concerns with the humanity involved in the entombing of a tortoise. President Dale stated since it was considered the best management practice at the time, the State used to charge a fee and allow entombments. Jack Reynolds stated it might help to understand that a lot of times you have to dig 10-20 feet in the safety area to get to these tortoises out (creating big holes and a safety hazard).

(Discussed out of order after Item J – MOU) President Dale wanted all to understand that even if wildlife management seems like a heinous thing to do, it has to be done.

Mr. Speake gave a presentation to the Board. He showed that in Seminole County there are 29 eagles nest within five miles of the Airport. He clarified the date comes from an imprecise website; some may have been removed already by the Authority or naturally by the weather. President Dale pointed out several nests that had already been removed. OIA shows only 7 eagles nest within five miles; however, they would not let John White fly over OIA to identify nests. There are 76 nests within 10 miles of the Airport; however, but as previously stated, some have been removed. Commissioner Mahany questioned what is considered a safe zone. President Dale clarified the Airport's wildlife management plan has two critical zones: one is two miles, and the other is five miles. The website shows 141 nests within 20 miles of the Airport. Mr. Speake clarified that sometimes eagles will build 2-3 nests in a year and might occasionally alternate from nest to nest. Also, sometimes owls will take over the eagles' nests. President Dale clarified eagles are not protected by Fish and Wildlife at airports (in Florida) anymore. The eagles are still federally protected under the Bald and Golden Eagle Protection Act, enacted in 1940; which is why the Authority still needs to get a permit. Board Member Pieters questioned if the birdstrikes at OIA are eagle strikes. President Dale stated OIA has had more eagle strikes in that five-year period than SFB. The website shows 129 nests within 20 miles from OIA.

Mr. Speake stated the Authority generated approximately five different reports each year. It was difficult to put it in a format for the various agencies. A database has now been created for the Authority that allows staff to retrieve the data easily. Board Member Eckstein questioned if there is seasonality. Mr. Speake stated the staff is still entering the data, going backwards with the most recent data entered first. They have noted there is some seasonality with certain species. He stated the Authority needs to know when the various species first show up. President Dale stated the Authority uses private companies that trap. He noted the County and the City also assist with the trapping. They have applied techniques for particular bugs the birds were eating. Mr. Speake discussed the entries of the database and noted it shows the harassment techniques done before it results in a take. President Dale introduced Steve Ericson who created the database.

President Dale stated the number of eagles has increased since DDT was banned. Mr. Speake stated the database allows the staff to show comparisons between species too. President Dale clarified that regarding wildlife management, the Authority does what it is legally required to. Commissioner Mahany stated she just wanted to make sure the take of tortoises was done in a humane way. Mr. Speake clarified the FAA requires the Authority keep the safety areas clear. The reason being is that if a plane deviates from the runway and a gear falls in the holes, it can break and possibly cause injuries/death. There cannot be holes in the safety area. President Dale stated the Authority has to use the best management practices. He reiterated entombing of tortoises cannot be done and that the Authority is not doing it. He noted entombing is not legal.



- I. SR 46 Four Laning – The FDOT has the St. Johns River Water Management District (SJRWMD) permit for the temporary road, and the Authority has the application and the check for the permit for the portion of the road to remain. President Dale has discussed with SJRWMD what the Authority has to do to get its portion of the permit (the remnant road).
- J. Memorandum of Understanding between the Sanford Airport Authority (SAA) and Canaveral Port Authority (PORT) regarding the sharing of canines. – Mr. Garrett briefed the Board on the MOU between the SAA and the PORT. He stated the Authority has been trying for four years to acquire a Transportation Security Administration (TSA) certified canine (explosive detection dog). However, the TSA requires three canines be acquired at the same time, which can be costly. Mr. Garrett stated FSD John Daly had recommended the Authority share the team of three canines with another agency. The Canaveral Port Authority (PORT) is willing to share the team and expenses with the Authority: one canine will work for the Authority (one-third of the expense); the other two canines will work for the PORT (two-thirds of the expense). The teams will train together. The purpose of the MOU is to assign and clarify duties, responsibilities, and obligations between SAA and the PORT.

Board Member Eckstein questioned the cost. Mr. Garrett stated the net cost will be approximately \$15,000.00-\$20,000.00 annually. He clarified TSA will reimburse approximately \$60,000.00 annually. The bulk of the expense in the first year will be the cost of the vehicle. There will be a five-year agreement with TSA for the dog.

Board Member Eckstein questioned who will acquire the dog. Mr. Garrett clarified TSA provides the dogs. Since the dogs belong to TSA, they are responsible for replacing them as well. He also clarified the Authority will not need to hire a person specifically to handle the dog.

Chairman Longstaff questioned if the agreement had been reviewed by Counsel. President Dale noted it is a standard agreement and he will have Counsel review it if it is the wish of the Board. President Dale will determine if the MOU has to be reviewed by Counsel.

Motion by Board Member Donihi, seconded by Board Member Litton, to approve MOU between SAA and the PORT, in regards to the explosive detection dogs. Motion passed.

- K. Fire Sprinkler System – There is a State law for fire sprinkler systems inspections. Most buildings have sprinkler systems that are monitored, and which have to be inspected. A new NFPA (National Fire Protection Association) regulation was passed, and the State and Cities have adopted the NFPA for these standards. One of the alternative means offered in the new NFPA regulation is that an authority having jurisdiction shall be permitted to conduct inspections under the performance-based program. President Dale requested

approval of the Board in having the Authority's own performance based inspection as allowed by NFPA 25. Motion by Board Member Eckstein, seconded by Secretary/Treasurer Smith, authorizing President Dale to establish the performance-based program for the fire sprinkler system inspections. Motion passed.

- L. FAC Annual Conference Reminder – The Florida Airports Council 42nd Annual Conference is scheduled to be held on July 17 – 20, 2011. Board members interested in attending should contact Diana M. Muñoz-Olson.

#### M. Letters

- i. Letter from Spolski Construction – John Spolski sent a letter commending Frank Liberatore for his job during the construction of Building 547. Kevin Spolski stated Mr. Liberatore made himself available at all times. He noted it was a challenging project, and that it was a pleasure to work with Mr. Liberatore.
- ii. Letter from customer – President Dale discussed a letter from a customer commending Direct Air for their services. However, he noted there is a lack of signage (markings and directions) coming from The Villages. President Dale stated he has contacted the State and will remedy the problem.
- iii. Letter for FAA – The Authority allowed the FAA to host the North Florida Flight Standards District Office (NFFSDO) 2011 Inspection Authorization renewal seminar at the Vigilante Room. Frank Rios sent a letter commending the Airport's facility and Mr. Speake for his support and hospitality.

### 5. COUNSEL'S REPORT

Counsel advised the Board that an eminent domain resolution would be brought forth for approval at the June meeting. He will brief the Board on the eminent domain process during the June meeting.

Counsel briefed the Board on a number of lawsuits from the 9-11 attacks, most were related to property damages against the airlines, the security companies, and the authorities themselves (from the airports that allowed the hijackers to go through). Boston Logan Airport Authority is being sued claiming that as the airport authority, the authority was an accomplice in the case because they did not do more to advise the public that the screening was inadequate. The theory claims the authority should have undertaken its own secondary screening. Since 9-11 TSA has taken care of this. Counsel wanted the Board to be aware that under this theory, the authority has a duty to advise the public and the airlines. In regards to SFB, there are facility directories printed quarterly, which specifically caution to be aware of birds in the area that could

impact airlines. Also, announcements are made on ATIS (Airport Terminal Information Service). The Authority is doing what it can to inform both the pilots and the airlines that there is a potential issue. Chairman Longstaff questioned how the public is being informed. Counsel stated first through the airlines, and secondarily through the published papers.

President Dale noted Larry Gouldthorpe needed to leave the meeting and requested Counsel's Report be postponed until after the TBI Report.

(Discussed out of order after TBI Report) Counsel reminded the Board the question was what is the Authority doing to inform the public. He noted there are articles written on the birdstrike; however, the airport is not publishing ads. President Dale stated the Authority reports every birdstrike, and that report is a public document. He clarified that articles are not published on every birdstrike, only the major ones. Even on the major birdstrikes, they are not published for other airports. Counsel clarified the court has not ruled if it is a valid theory (making the authority accountable). He just wanted the Board to be aware of it. Chairman Longstaff questioned if what the Airport is trying to create is a safe harbor for itself; so that if there ever was an accident, the Authority would not be held accountable for not informing the public. Counsel confirmed that to the extent that the Authority can do it, that would be the action to take. Chairman Longstaff questioned if the public notices are sufficient to give a safe harbor. Counsel stated he does not believe there is going to be immunization from this type of claim/argument because there is no legislation out there that states exactly what needs to be done. He noted ACI International filed an amicus brief with the court requesting the removal of the theory because it is holding the airports liable for a third party and requesting to set up a screening protocol over and above what is mandated by the government. Counsel believes the Authority is doing everything it can at the moment. President Dale stated the Authority has insurance of \$100 million. He assured the Board that the Authority does everything it can, including following best management practices, to protect the Board, the City and the public. He noted the Airport's staff sweeps the runways before every commercial aircraft departure or landing. The Airport's Wildlife Hazard Working Group works together to identify problems and what can be done to resolve the issue. All the best management practices and methodology have been given to the Authority by experts certified by the government. The Authority publishes the birdstrike wildlife reports. Actual notice is given in the Airport Facility Directory for birds in the vicinity of the Airport, and also on ATIS. The Authority gives actual public notice by all those methods and the articles. The Authority also belongs to the North America Birdstrike Committee. President Dale noted the airports that follow all they can do that is permissible usually are held liable to a lesser degree, if anything at all. Chairman Longstaff questioned if the Authority is covered under the \$100 million liability policy. Mr. Garrett stated the Authority would be covered by the \$100 million maximum. President Dale stated OSI indemnifies the City and the Authority as well; the Authority also has OSI's policy and guarantees to fall back on. He reiterated the Authority follows the best management practices. Counsel noted it is important to spend time making sure the Authority gets the screening partnership right.

Commissioner Mahany questioned if the Authority is currently trying to remove trees and if the City was holding up the removal. President Dale clarified the City is not delaying any removal now; however, there are environmental issues holding things up.

## 6. TBI REPORT

TBI President Larry Gouldthorpe reported on the following:

### A. Monthly Statistics for April 2011

- i. UK traffic total  
April 2011 – **36,348** passengers
- ii. International traffic total  
April 2011 – **40,979** passengers
- iii. Domestic traffic total  
April 2011 – **111,102** passengers
- iv. Total traffic  
April 2011 – **152,081** passengers
- v. Percentage  
UK traffic is up 67% compared to April 2010, with a year-to-date traffic of 50,494 passengers (up 34%). International traffic is up 69% compared to April 2010, with a year-to-date traffic of 64,868 passengers (up 14%). Domestic traffic up 59% compared to April 2010, with a year-to-date traffic of 380,884 passengers (up 20%). Total traffic is up 61% compared to April 2010. Year-to-date traffic is up 16%.

### B. Miscellaneous Updates

- i. Cargo – Along with the economic recovery, OSI is seeing an increase in cargo activity (carrying more volume freight). Metric ton is actually down though; however, volume was up by 14%.
- ii. Rental Car companies – The rental car industry meeting to discuss the RFP (taking place a year from now) for rental car services is set for June 8, 2011. The current contract expires on May 2012. Could include relocation of their facilities to the Welcome Center, and OSI wants to get the car companies' input on space requirements.
- iii. Map to local attractions – Mr. Gouldthorpe distributed to the Board an airport map to local area attractions. Travelers would say that a lot of the maps given by the rental companies do not have the information they need. The new map is user friendly and was paid by the advertisers on it.

- iv. Charter program – Mr. Gouldthorpe stated he is happy to announce a charter program from Brazil beginning on July 1, 2011. They will use 767 aircraft provided by Vision Airlines. The airline will initially fly to Sao Paulo and Brasilia. The program will run 15 rotations from July to August, with a more robust winter program (of 60 flights) starting on December. There is a possibility it might turn to weekly service next year.
- v. Security lane - The security fast lane is now open. This premium service is available to Icelandair first class and Allegiant customers that purchase priority boarding.
- vi. FAC Conference dinner – The annual dinner for the Board will be hosted by OSI and Avcon on Sunday, July 17, 2011. Board Member Eckstein asked if the Board should invite Bill Miller.

Board Member Pieters questioned if Allegiant has been impacted by Airtrans acquisition. Mr. Gouldthorpe does not see an immediate impact. The first focus of the merger will be the Atlanta hub and southwest trying to assimilate into that. He does not believe there is going to be more expansion to the small markets Allegiant goes to that Airtran used to have; they will work on hubbing strategy out of Atlanta.

## 7. LIAISON REPORTS

### City of Sanford

Commissioner Mahany reported on the following:

- A. Police - The new police chief was hired. Billy Lee will be officially sworn in Friday morning. The formal swearing in will be on Monday, May 9, 2011 after the Commission meeting. There will be a reception at 6:15 p.m. Morale is higher than before. The City will no longer use the policing model of Orlando, and will do community policing in turn. Each police officer gets twelve blocks, and they are out and about in the City.
- B. City Manager – The City has initiated the city manager search. The position will be published the entire month of May. They expect to get approximately 250 applications. The Commission wants to review all of the applications. The Mayor and three other Commissioners insist on they get to chose 10 potential applicants each. Expects it to be a long process.
- C. Redistricting – The 2010 Census showed a population increase in District 4. The City is getting ready to redistrict as mandated.
- D. Budget – Regarding the budget, the City will continue to be closed on Friday. Because of the millage increase, the budge is close to the balance.

- E. Development – There is potential development on Highway 46, across from BJ's, called Tuscany Village.
- F. Council of Local Governments (CALNO) – Commissioner Mahany extended an invitation to the CALNO meeting at the Airport on June 1, 2011. President Dale will be the speaker; the meeting will be followed by a short tour.
- G. Meeting – Commissioner Mahany stated the City will publish public notices for the SAA meetings, as a meeting where two or more members from the Commission will attend. It is her understanding that Mayor Triplett would attend the meetings as well. Commissioner Mahany stated she was told she would attend the SAA meetings until the end of this year; at which time, the Mayor may be reassigned to the Board. President Dale stated he discussed it with the City Attorney (Lonnie Groot) when he received notice, and was informed it had to do with any meeting two or more members of the Commission attended. Commissioner Mahany clarified there was a Community Awareness Participation (CAP) meeting attended by the Mayor, Commissioner Williams, and Commissioner McCarty, in which they made comments. She stated that because of that meeting, the City Attorney clarified to the Commission they are not supposed to attend CAP meetings. Commissioner Mahany reiterated she was told the Mayor is going to start attending the SAA meetings as well.

### Seminole County

Commissioner Van Der Weide stated the County has hired Jim Hartman as the new county manager, replacing Joseph "Joe" Forte. Commissioner Van Der Weide commended Mr. Forte on his work for the last 18 months as Acting County Manager. The County is now in the search of a new County Attorney. Regarding the budget, there will not be an increase in millage. In the event funds are needed, the County plans on either cutting back or take it from reserves.

### 8. CHAIRMAN'S REPORT

Chairman Longstaff stated he will not be available for the June meeting; Board Member Donihi will chair the meeting.

### 9. CONSENT AGENDA

- A. Consider approval of Addendum A to Lease No. 2010-11 with RANDY DYKES for Building No. 513, located at 3905 Moores Station Road (Residence).

~~Staff recommends approval of Addendum A to Lease No. 2010-11 with RANDY DYKES for Building No. 513, located at 3905 Moores Station Road (Residence). Addendum A extends the lease term for one (1) additional year, effective May 1, 2011. The annual rental rate is \$12,000.00; the monthly payment is \$1,000.00.~~

- B. Consider approval of Addendum A to Lease No. ~~2010-06~~ 2010-11 with ~~CHRISTOPHER JACKSON~~ LIZETTE MIRANDA for Building No. 527 301, located at ~~3880 Moores Station Road~~ 2822 Aileron Circle (Residence) (correction on agenda index only, not on Item B memo).

Staff recommends approval of Addendum A to Lease No. 2010-11 with LIZETTE MIRANDA for Building No. 301, located at 2822 Aileron Circle (Residence). Addendum A extends the lease term for one (1) additional year, effective May 15, 2011. The annual rental rate is \$9,901.20; the monthly payment is \$825.00.

- C. Consider approval of Lease No. 2011-20 with NEW DIRT, INC. for Building No. 515-4, located at 2830 S. Mellonville Avenue (Warehouse/Office).

Moved to Discussion Agenda (Item B).

- D. Consider approval of Lease No. 2011-18 With ~~BENJAMIN J. REMLEY, JR.~~ and ELIZABETH A. REMLEY for the property at 2525 Orange Avenue (Residential – Land Acquisition Program Leaseback).

Staff recommends approval of Lease No. 2011-18 With ~~BENJAMIN J. REMLEY, JR.~~ and ELIZABETH A. REMLEY for the property at 2525 Orange Avenue (Residential – Land Acquisition Program Leaseback). The lease term is for ninety (90) days, commencing on April 8, 2011, and ending on July 6, 2011. The rental rate during the said term is \$0.00. The lessee shall have the right and option to renew this lease for two (2) additional months, following the term expiration on July 6, 2011; the rental rate during the extended term is \$650.00 per month.

Note: This property was purchased with funding from FAA Grant No. 3-12-0069-062-2009, for acquisition of land in noise sensitive areas located within the 65 DNL.

- E. Consider approval of Supplemental Joint Participation Agreement and Resolution Number 2011-08, for land acquisition (Marquette Avenue between Red Cleveland Blvd. and Skyway Drive).

Staff recommends approval of Supplemental Joint Participation Agreement No. 2, FM Number 427887 1 94 01, and Resolution Number 2011-08, for land acquisition (Marquette Avenue between Red Cleveland Blvd. and Skyway Drive), in the amount of \$1,926,900.

- F. Consider approval of Joint Participation Agreement and Resolution Number 2011-09, for the 2.5% portion from FDOT for the Perimeter Road.

Staff recommends approval of Joint Participation Agreement and Resolution Number 2011-09, for the 2.5% portion from FDOT for the Perimeter Road, in the amount of \$50,470.\* This funding will provide the 2.5% match for the FAA Grant.

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\*Note: The project cost is \$2,018,805; the FAA portion at 95% is \$1,917,864, and the SAA 2.5% portion is \$50,470.

- G. Consider approval of Joint Participation Agreement and Resolution Number 2011-10, for sterilization of all Runway Safety Areas of all non-federal & non-critical equipment.

Staff recommends approval of Joint Participation Agreement and Resolution Number 2011-10, the 2.5% portion from FDOT for sterilization of all Runway Safety Areas of all non-federal & non-critical equipment, in the amount of \$9,211.\* This funding will provide the 2.5% match for the FAA Grant.

\* Note: The project cost is \$368,422; the FAA portion at 95% is \$350,000, and the SAA 2.5% portion is \$9,211.

- H. Sanford Aviation Noise Abatement Committee (SANAC) Appointment Confirmation.

Jack Taylor has served on the Sanford Aviation Noise Abatement Committee (SANAC), as one of two "Seminole County non-impacted citizens", since March 9, 1999. His service to this committee has been greatly appreciated. Unfortunately, Mr. Taylor's schedule will no longer allow him to serve and he has submitted his resignation.

In compliance with the SANAC Bylaws, staff asked Seminole County to nominate a new person to complete the unexpired term of Mr. Taylor and they have selected Mrs. Krysty Carr. Mrs. Carr is a resident of Longwood and will fill the unexpired term through September of 2012. In addition to being a resident of Longwood, Mrs. Carr has been the Manager of the South East Ramp at the Orlando Sanford International Airport and is a licensed pilot.

Staff requests confirmation by the Authority of Mrs. Carr as one of two Seminole County non-impacted citizens to SANAC, as required by the committee Bylaws.

- I. Consider approval of Lease No. 2011-21 with ORLANDO SANFORD AIRCRAFT SERVICES, INC. for the lease of:
- ii. Building 413 [3,000 sf], located at 1910 East Airport Blvd. (Hangar); and
  - iii. Building 421 [2,000 sf], located at 1920 East Airport Blvd. (Hangar)

The lease shall be month-to-month, commencing on May 3, 2011. The lease consists of a total of 5,000 square feet of hangar space at \$3.50 per square foot; 1,300 square feet of land at \$0.14 per square foot; and 3,440 square foot of ramp at \$0.11 per square foot. The combined annual rental rate is \$18,060.00; the monthly payment is \$1,505.00, exclusive of taxes.

Note: The owner, Larry Tague, is a long-time tenant at the Airport, and also leases two t-hangars. The month-to-month term is anticipated to be temporary. Mr. Tague has agreed to pay two months in advance.

Staff recommends approval of Lease No. 2011-21 with ORLANDO SANFORD AIRCRAFT SERVICES, INC. for the lease of Building 413, located at 1910 East Airport



Blvd.; and Building 421, located at 1920 East Airport Blvd., pending final execution of the lease by Lessee.

Motion by Board Member Litton, seconded by Secretary/Treasurer Smith, to approve Consent Agenda Items A through H, as corrected; and add-on Item I; excluding Item C. Motion passed.

## 10. DISCUSSION AGENDA

- A. Consider approval of Resolution 2011-07 agreeing to the terms of the Commitment Letter of CNL Bank for loans.

(Discussed out of order, after Discussion Agenda Item B)

During the April 5, 2011 meeting, the Board authorized Bryant Garrett to continue to negotiate the terms of the loans with CNL Bank and get a final commitment letter.

Staff recommends approval of Resolution 2011-07 agreeing to the terms of the Commitment Letter of CNL Bank for a taxable fixed-rate loan in the principal amount of not to exceed \$1,900,000 and a tax-exempt fixed-rate loan in the principal amount of not to exceed \$2,600,000.

Mr. Garrett discussed the recommended Commitment Letter with CNL Bank. He then distributed a copy of the Commitment Letter with CNL Bank and a proposal from United Legacy Bank. President Dale clarified the document from United Legacy Bank is an offer for discussion of terms and conditions. He explained United Legacy Bank is a local bank. President Dale disclosed that Board Member Ball is a stockholder and board member for this particular bank. (Attached – Mr. Ball's Memorandum of Voting Conflict). He has confirmed with Counsel there is no illegal aspect to Mr. Ball being a shareholder.

Mr. Garrett stated the Authority has two derivative-based loans with Bank of America; one is coming to maturity on June 15, 2011 (\$1.8 million balance); the other is a loan used to finance several Seminole County buildings, and does not mature until 2023. The idea is to get out of them in this bad economy. Both notes will be amortized to zero; there is a 5-year note in the amount of \$1.8 million, and the other is a 10-year note in the amount of \$2.5 million. The key point between the two letters is the interest rate. The note for the Seminole County buildings is tax exempt, and it will be at a different rate. A tax opinion has to be done no matter which bank is chosen. The Authority has basically completed the process in regard to the CNL Bank offering, and Mr. Garrett noted there are some costs involved. The Authority would have to make CNL Bank whole for their legal fees. The cost involved in this offer is approximately \$37,000.00 - 38,000.00 for the following: 1) attorney from the bank; 2) SAA Counsel; 3) the attorney giving the tax opinion; and 4) bank costs. On the taxable 5-year note, United Legacy Bank's rate is 5% and CNL Bank's rate is 5.5%. On the tax-exempt 10-year note, United Legacy Bank's rate is 4.25% and CNL Bank's rate is 4.875%.

Board Member Eckstein stated that when he was treasurer, he asked Mr. Garrett about banking relationships. At the time, Board Member Eckstein was told by Mr. Garrett that he was uncomfortable working with another bank. He noted Mr. Garrett was happy with CNL Bank; however, he now comes to a meeting and United Legacy Bank is presented. He questioned how the United Legacy Bank proposal came about. President Dale stated the Authority likes to deal with local business, and there is a concern when dealing with smaller institutions. Due to the growth of the Airport and all the matching the Authority does for the grants, there is a concern with local banks in being able to get past their national charter requirements on their maximum loan limits in a hurry. He stated that when a bank approaches him to show what they can do, it is not his decision. He clarified it was not brought forward as a loan commitment, and expressed his concern in the timing to get the final commitment. Staff met with the United Legacy Bank officers and they said they would like to get something together for the Board to consider. In meeting with Chairman Longstaff, staff determined it would be best to let the Board know a local bank is interested, even though there is not a commitment from them. Board Member Eckstein stated he wished he had known because he has been asked by Ken Rummel to have the opportunity to present (his bank services) to the Board. He stated this is great; however, he would have wanted to have the courtesy to know ahead of time. President Dale noted he had received the documents from United Legacy bank the day before the meeting. He stated he had asked Chairman Longstaff if he wanted it on the agenda, which the Chairman approved to be on the agenda for discussion purposes. Chairman Longstaff stated the Authority had no intent to move the loan from CNL Bank; however, United Legacy Bank approached President Dale requesting to meet and give a proposal to the Board. He clarified the Authority did not get a commitment from United Legacy Bank; it is only a proposal. Chairman Longstaff stated that in all fairness he could not bring the commitment letter by CNL Bank for approval without presenting the proposal by United Legacy Bank, which the Board might or might not find more favorable. Secretary/Treasurer Smith suggested the Authority get a proposal from Mr. Rummel's bank. Board Member Eckstein stated the timing is off; he just wanted to be able to know when opportunities become available. Chairman Longstaff clarified United Legacy Bank approached President Dale (he did not request it). Chairman Longstaff stated he was not aware Mr. Rummel had approached Board Member Eckstein.

Chairman Longstaff reiterated one is a commitment letter that is ready to be closed on; the other is a proposal that has not had any underwriting, and still has to go to United Legacy Bank's credit department and Board of Directors for approval. There are some legal issues that Chairman Longstaff would like Counsel to explain. Counsel stated that during the April meeting, the Board made a motion authorizing staff to proceed with the CNL Bank loan documents. There are legal fees to that of approximately \$37,000.00 - 38,000.00. Counsel noted that if a new term sheet is done, there would be a duplicate cost to get those documents completed with the new party. Additionally attached to this were negotiations on what would be pledged (revenue stream pledge). In this case, there is no SAA defined policy on procurement stating it has to be advertised. The Authority is open for any private company to come and present the options they think would be better at any time. That is what occurred during this deal with CNL Bank. Secretary/Treasurer Smith stated that going forward, if there is a similar situation in the future, it should be "put out" (advertised). Counsel stated it is at the discretion of the

Board if they want procurement. Chairman Longstaff clarified the motion would be to either approve and authorize President Dale and staff to negotiate a transaction with United Legacy Bank, or to approve the CNL Bank Commitment Letter and proceed with the closing.

Board Member Eckstein asked Chairman Longstaff which one is best for the Airport. Chairman Longstaff stated his preference is to have the proposal by United Legacy Bank in a commitment letter; however, he believes the Authority should "take the one we have on hand" because of time constraints. Chairman Longstaff stated the underwriting alone might be a 2-weeks process. Then it is sent to the legal department, which might take an additional two weeks. President Dale stated it took 10 weeks to get the commitment letter with CNL Bank. Counsel stated he could not speak for the bank and could not guarantee it will be done in time. Board Member Eckstein questioned how much will it save the Airport by going with United Legacy Bank. Chairman Longstaff estimated it would be approximately \$30,000.00 – \$40,000.00 in net savings. Board Member Pieters questioned if there is time to make the commitment with United Legacy Bank. Board Member Smith stated there is no guarantee that United Legacy Bank's underwriting department will approve it. Board Member Eckstein noted that according to the proposal from United Legacy Bank, the Authority would have to change their banking too. Chairman Longstaff stated they could require a banking relationship; however, the Authority has to keep a banking relationship with CNL Bank. He stated the Authority would have to bifurcate the banking relationship partly with United Legacy Bank and partly with CNL Bank.

Motion by Board Member Donihi, seconded by Secretary/Treasurer Smith, to accept the Commitment Letter with CNL Bank.

Board Member Eckstein asked Board Member Ball if he had any comments. Board Member Ball stated United Legacy Bank is well capitalized, financially sound, and would like to look at any opportunity with anyone that qualifies. Based on what he saw in the proposal, he assured the Board that United Legacy Bank will be able to close on or before the June deadline. Board Member Donihi stated he did not hear anybody say it can be guaranteed and requested the motion be moved to discussion. He stated if there is a guarantee that the deadline could be met by United Legacy Bank, it changes his feelings on it. President Dale and Chairman Longstaff clarified that staff cannot guarantee United Legacy Bank will meet the deadline. Board Member Ball questioned if the United Legacy Bank officers were aware of the deadline when they met with President Dale. President Dale stated they had very serious discussions about his concerns, and in turn the officers had serious discussion about their concerns in being able to do it (in time). They were hoping to get the terms and conditions to President Dale on the previous Friday (April 29<sup>th</sup>), but they did not and he got the proposal the day before the meeting (Monday, May 2<sup>nd</sup>). President Dale stated he was concerned with the deadline and getting a commitment letter. Board Member Ball questioned if United Legacy Bank is aware of the June 15th requirements. President Dale reiterated the officers were aware. Board Member Ball noted as part of the bank's board, he is not involved in day-to-day functions of the bank. President Dale stated the officers were also aware he wanted a commitment letter on the day of the Board meeting.

Chairman Longstaff stated there might be a solution. There is a process within the banking business called "participation" (a loan-sharing arrangement). He would propose for CNL Bank to sell \$500,000.00 participation in each of the loans to United Legacy Bank. The loan would be with CNL Bank, with United Legacy Bank buying \$500,000.00 of the loan. Secretary/Treasurer Smith stated the problem he has is that the Authority will have to spend \$74,000.00 in legal fees dealing with two institutions. Board Member Eckstein stated some of the cost would be mitigated if the Board does what the Chairman is suggesting.

Board Member Donihi and Secretary/Treasurer Smith withdrew their motion.

Chairman Longstaff relinquished the gavel and made motion, seconded by Board Member Bowlin, to: 1) accept CNL Bank's Commitment Letter (as is); 2) on a best effort basis, the Authority will ask CNL Bank to commit to selling \$500,000.00 participation on each loan to United Legacy Bank; and 3) on a best effort basis, the Authority will negotiate with CNL Bank to lower the interest rate.

President Dale asked Board Member Ball if he thought United Legacy Bank would do that. Board Member Ball stated he cannot speak for them, but thinks they will welcome the opportunity. Secretary/Treasurer Smith requested that in the future, all the information be presented to the Board. President Dale reiterated the proposal was not received until the day before the meeting. Board Member Eckstein thanked Chairman Longstaff for his effort, which he believes is in the best interest of the public.

President Dale clarified the motion needs to include Resolution No. 2011-07. Vote was taken, none opposed; Board Member Ball abstained from voting. Motion passed, including Resolution No. 2011-07.

Chairman Longstaff stated the Airport is maturing, and believes the Authority needs a bigger, more permanent banking relationship. If the Board approves, he would like to work with President Dale and Mr. Garrett on developing a template for what the Authority's banking should look like. In the future, all banking should be in one institution.

B. Consider approval of Lease No. 2011-20 with NEW DIRT, INC. for Building No. 515-4, located at 2830 S. Mellonville Avenue (Warehouse/Office).

(Discussed out of order, before Discussion Agenda Item A) Staff recommends approval of Lease No. 2011-20 with NEW DIRT, INC. for Building No. 515-4, located at 2830 S. Mellonville Avenue (Warehouse/Office). The lease shall have a one (1) year term, with four one-year options, commencing on May 3, 2011. The tenant has the first right of refusal to the adjacent building, Building 515-5, located at 2824 S. Mellonville Avenue. The lease consists of 1,500 square feet of office and warehouse space, at \$6.75 per square foot. The annual rental rate is \$10,125.00; the monthly payment is \$843.75, exclusive of taxes.

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Note: The tenant does E-commerce.

President Dale disclosed on Board Member Cattell's behalf that Mr. Cattell partially owns and is a principal in New Dirt, Inc. (Attached – Mr. Cattell's Memorandum of Voting Conflict). He clarified Board Member Cattell would have disclosed it himself but had to leave the meeting. Board Member Eckstein questioned what kind of corporation is it. Diane Crews clarified it is a media/website company. President Dale state is a small warehouse space; however, noted they have first right of refusal to the adjacent building.

Motion by Board Member Eckstein, seconded by Board Member Donihi, to approve Discussion Agenda Item B. Vote was taken, none opposed; motion passed.

The meeting was adjourned at 11:08 a.m. for break.

The meeting reconvened at 11:16 a.m. to discuss Discussion Agenda Item A.

11. COMMENTS FROM THE PUBLIC

None.

12. OTHER BUSINESS

None.

13. REMINDER OF NEXT REGULAR BOARD MEETING (JUNE 7, 2011)

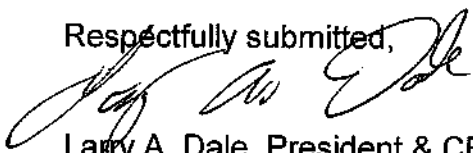
14. REMINDER OF SPECIAL BOARD MEETING (JUNE 22, 2011 – 3:00 P.M.)

15. REMINDER OF JULY REGULAR BOARD MEETING (JUNE 30, 2011 – 8:30 A.M.)

16. ADJOURNMENT

There being no further business, the meeting was adjourned at 11:55 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

April 13, 2011

Via email: [legals@mysanfordherald.com](mailto:legals@mysanfordherald.com)

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

Attn: Scott, Legal Classified

Please publish the following Public Notice one (1) time in the **Sunday edition (April 17, 2011) of the Sanford Herald Classifieds.** Please confirm receipt of this advertisement by email to [dmuniz@osaa.net](mailto:dmuniz@osaa.net).

**PUBLIC NOTICE**  
**SANFORD AIRPORT AUTHORITY**

**Notice is hereby given that the Sanford Airport Authority will conduct its May meeting on Tuesday, May 3, 2011, 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.**

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**

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, May 3, 2011, 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 scheduled for Tuesday, May 10, 2011, has been cancelled. Information may be obtained by calling (407) 585-4006.

## **USER GROUP**

The Airport User Group meeting scheduled for Tuesday, May 10, 2011, has been cancelled. Information may be obtained by calling (407) 585-4006.

## **DESIGN REVIEW COMMITTEE (DRC)**

The Sanford Airport Design Review Committee (DRC) meeting scheduled for Wednesday, May 4, 2011, has been cancelled. Information may be obtained by calling (407) 585-4002.

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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

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS	
LAST NAME—FIRST NAME—MIDDLE NAME <b>CATTELL—DAVID—L</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>SANFORD AIRPORT AUTHORITY</b>
MAILING ADDRESS <b>P.O. BOX 953365</b>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY <b>LAKE MARY</b>	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
COUNTY <b>SEMINOLE</b>	NAME OF POLITICAL SUBDIVISION: <b>CITY OF SANFORD, FLORIDA</b>
DATE ON WHICH VOTE OCCURRED <b>MAY 3, 2011</b>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

**WHO MUST FILE FORM 8B**

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

**INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES**

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

**ELECTED OFFICERS:**

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

- PRIOR TO THE VOTE BEING TAKEN** by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and
- WITHIN 15 DAYS AFTER THE VOTE OCCURS** by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

**APPOINTED OFFICERS:**

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)



**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

**IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:**

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

**DAVID L. CATTELL**

I, DAVID L. CATTELL, hereby disclose that on MAY 3, 20 11

(a) A measure came or will come before my agency which (check one)

- Inured to my special private gain or loss;
- Inured to the special gain or loss of my business associate, \_\_\_\_\_;
- Inured to the special gain or loss of my relative, \_\_\_\_\_;
- Inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- Inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

**MEASURE:** Motion to approve Lease No. 2011-20 with New Dirt, Inc. for Building No. 515-4, located at 2830 S. Mellonville Avenue.

**MY CONFLICTING INTEREST:** I am the CEO and President of New Dirt, Inc.

**NOTE:** I was not present during the discussion or vote as I had already left the meeting.

May 11, 2011  
Date Filed

David L. Cattell  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS	
LAST NAME—FIRST NAME—MIDDLE NAME <b>BALL—THOMAS—B (III)</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>SANFORD AIRPORT AUTHORITY</b>
MAILING ADDRESS <b>P.O. BOX 470262</b>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY <b>LAKE MONROE</b>	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
COUNTY <b>SEMINOLE</b>	NAME OF POLITICAL SUBDIVISION <b>CITY OF SANFORD, FLORIDA</b>
DATE ON WHICH VOTE OCCURRED <b>MAY 3, 2011</b>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

### WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

### INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

#### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

**PRIOR TO THE VOTE BEING TAKEN** by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

**WITHIN 15 DAYS AFTER THE VOTE OCCURS** by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

#### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, THOMAS B. BALL, III, hereby disclose that on MAY 3, 2011

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

**MEASURE:** Motion to 1) Accept CNL Bank's Commitment Letter for 2 commercial loans [Request 1 – up to \$1,878,190 and Request 2 – up to \$2,574,627]; 2) On a best effort basis, ask CNL Bank to commit to sell \$500,000 participation on each loan to United Legacy Bank; and 3) negotiate with CNL Bank to lower the interest rate.

**MY CONFLICTING INTEREST:** I am a member of the Board of Directors and a shareholder of United Legacy Bank.

**NOTE:** Mr. Ball abstained from voting.

05-11-11

Date Filed

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.