

Minutes  
September 15, 2016  
Regular Meeting

**A. ROLL CALL**

Meeting was called to order by Chair Messer at 8:30 a.m. in the Council Chambers at City Hall. Also present were Commissioner Stricklen, Commissioner Evans, Vice Chair Nocera, and Commissioner Rideoutte.

Staff and Authority Counsel present were Mr. Rozansky, Mr. Owens, Ms. Dugan, Ms. Etelamaki, Mr. Frost, Ms. Terrill, Mr. Keith, Mr. Jefferson, and Ms. Menard. Also present was Ms. Jennifer Hamilton of Gravina Smith Matte & Arnold.

**B. PLEDGE OF ALLEGIANCE**

**C. AGENDA**

Mr. Rozansky advised that two supplements were submitted to the Board prior to the meeting: The first document, the Administrative Services Agreement between ICMA-RC and the Authority for recordkeeping services for the retirement plans for Authority employees; and the second document, a draft revision to the Gateway Triangle policy. Mr. Rozansky confirmed that Ms. Menard would be able to provide a copy at anyone's request.

**D. MINUTES**

**1. 18 August 2016 Regular Meeting**

Vice Chair Nocera moved approval of the 18 August 2016 Regular Meeting minutes. Commissioner Evans seconded. Motion passed 5-0.

**E. PRESENTATIONS AND TIME CERTAIN ITEMS**

**1. Real Estate Partners International, LLC ("REPI") – Jerry Starkey**

Mr. Starkey stated that he appreciated the opportunity to speak regarding the Authority's adoption of a policy pertaining to REPI's proposed Gateway Triangle development. He advised that his firm found a way to reduce the height of the building to 150 feet, with an additional 10 feet for rooftop appurtenances such as elevator shafts, mechanical equipment, rooftop access, and communication devices. Mr. Starkey stated that he worked with Mr. Rozansky to amend the Authority's policy to accommodate REPI's request to use cranes during construction of the buildings and that he found it acceptable to provide a deed restriction or covenant on the property so that all purchasers understand that the development is close to the airport.

A question and answer period followed. Commissioner Stricklen requested verification that the deed restrictions and covenants would be provided for in the land purchase documents so that the same restrictions apply to any future owner of the entire site. Mr. Starkey said that that was the intention. In response to Commissioner Evans, Mr. Starkey said that he will not be taking title to the property for nine months to a year, however, he was willing to work with the Authority's attorney to draft those restrictions now and execute them simultaneously with the closing. There was Board consensus to do this.

In response to a question from Commissioner Rideoutte, Mr. Rozansky stated that two provisions were added in the amended policy. The first was for an allowance of a temporary crane, contingent upon FAA approval and the developer/contractor coordinating its use with the airport throughout the construction. The second was providing a provision to waive the deed restriction or covenant requirement should the developer decide to lower the overall height to 150 feet or below.

#### **F. PUBLIC COMMENTS**

Ms. Penny Taylor, Collier County Commissioner and Commissioner for the district in which the Gateway Triangle development is located, expressed her gratitude for how the Authority worked with the developer to work out an amenable solution. She commented that as the County's district representative, she will work as hard as she can to be the best neighbor and a strong advocate for making sure everyone understands how important the deed restrictions and covenants are and that they must run with the land and not with the development. County Commissioner Taylor responded to Commissioner Stricklen regarding the issuance of a County variance for the additional 10 feet to provide for mechanicals. She stated that this was a special instance and that the development would go through the Planned Unit Development (PUD) process to create a zoning standard that would apply solely to the Gateway Triangle project.

Mr. Ted Brousseau, 1450 Jewel Box Avenue, Naples, is a pilot and resident of the City off of Sandpiper. Stating that he was speaking as a representative of the Experimental Aircraft Association, he reminded the Authority Board that the Gateway Triangle property is zoned 112 feet and that the developer would still have to apply for a PUD or variance. Mr. Brousseau expressed concern regarding aviation safety as it pertains to increased building height. He requested that the Authority Board when taking action on the policy amendment, include language stating that their vote should not be construed as an endorsement to raise the height to 150 or 160 feet. Commissioner Stricklen and Commissioner Evans agreed with Mr. Brousseau's position. Mr. Owens reminded the Board that the impetus of the discussion came from language in the purchase contract which required the developer to coordinate with the airport to get the Authority's position on height. Chair Messer stated that the FAA is the higher authority on safety issues.

Mr. Starkey commented that the request to the County was to amend the overlay to add an exception for the 5.27 acres allowing it to go to 160 feet. He reiterated that the development would be replacing a 196-foot Tower with a 160-foot structure and was hoping the aviation community would see that as a favorable net result.

Stating that he was representing himself as a resident, Mr. Linneman, 980 Galleon Drive, Naples, Chair of the Noise Compatibility Committee expressed appreciation to the Board, staff, and developer for the care and depth of the analysis on the proposed Gateway Triangle development.

**G. ACTION ITEMS (Public comments accepted for each item; 5 minute limit)**

**1. Amend Policy Regarding the Proposed Gateway Triangle Development**

Mr. Rozansky read for the record the following amended policy regarding the proposed Gateway Triangle Development:

“The NAA will not object to a height up to (but not exceeding) 160 feet above the established elevation of the Naples Municipal Airport (NMA) for any building or other structure (including all rooftop appurtenances such as communications towers, antennas, elevator shafts, access doors and equipment) contemplated in the Gateway Triangle Development, subject to all of the following conditions:

- REPI shall grant the NAA a recorded avigation easement, height restriction and/or covenants in a form acceptable to the NAA; provided, however, if REPI agrees to reduce the maximum height for any building or other structure (including all rooftop appurtenances such as communications towers, antennas, elevator shafts, access doors and equipment) to 150 feet, or less, above the established elevation of the NMA, then the NAA shall waive its requirement for a recorded avigation easement, height restriction and/or covenants.
- REPI shall provide in the declaration of condominium a disclosure approved by the NAA notifying all prospective purchasers of the proximity of the NMA and the common noises and disturbances incident thereto.
- REPI shall construct all buildings and other structures in the Gateway Triangle Development using noise attenuation techniques and materials.
- The existing communications tower shall be relocated in a manner that does not adversely impact the safe and efficient use of NMA.
- FAA issues a determination of no hazard for any building or other structure (including all rooftop appurtenances such as communications towers, antennas, elevator shafts, access doors and equipment) to a height up to (but not exceeding) 160 feet above the established elevation of NMA.
- Upon receipt of the FAA’s determination or any other relevant due diligence, the Board will review the finding and determine whether any revisions to the policy are appropriate.

Furthermore, the NAA will not object to any temporary crane used during the construction of the proposed Gateway Triangle Development, subject to all of the following conditions:

- FAA issues a determination of no hazard for such temporary crane.
- REPI shall adhere to all conditions stipulated by the FAA and coordinate as required with the NAA throughout construction.

If REPI does not accept the NAA's policy, then the Board directs the Executive Director to make recommendations on available remedies."

Chair Messer stated that it is important to know that she believes the Board is fully in support of this development but it is their responsibility to see that it is done in a responsible way, and in support of the airport, the community and city of Naples. She further stated that the Board wanted to ensure that the community is protected going forward and to leave no room for question 15 to 20 years from now that the Board was not as proactive as it should have been. She spoke for all, stating that "we don't want neighbors worried about safety".

Commissioner Rideoutte moved Board adoption of the recommended and amended policy regarding the Proposed Gateway Triangle Development. Commissioner Evans seconded. Motion passed 5-0.

**2. Authorize the Executive Director to Execute FAA Grant 3-12-0053-035-2016 in the Amount of \$1,580,993 to Reconfigure Taxiway A and Construct a Holding Bay**

Mr. Keith requested Board authorization for the Executive Director to execute FAA Grant 3-12-0053-035-2016 in the amount of \$1,580,993 to reconfigure Taxiway Alpha and construct a holding bay. Mr. Keith displayed an aerial of the area and reviewed the project plan. This will be funded 90% by the FAA, 5% by FDOT, and 5% by the Authority. A question and answer period followed.

Vice Chairman Nocera moved Board approval for the Executive Director to execute FAA Grant 3-12-0053-035-2016 in the amount of \$1,580,993 as described by Mr. Keith. Commissioner Stricklen seconded. Motion passed 5-0.

**3. Authorize the Chair to Execute Resolution 2016-3, Authorizing the Executive Director to Execute a Joint Participation Agreement (JPA) with the FDOT in the amount of \$87,883 to Design and Construct Taxiway A Improvements and Holding Bay (FPN 438974-1-94-01) at the Naples Municipal Airport**

Mr. Keith requested Board authorization for the Chair to execute Resolution 2016-3, authorizing the Executive Director to execute a Joint Participation Agreement (JPA) with the FDOT in the amount of \$87,883 to design and construct Taxiway A improvements and Holding Bay (FPN 438974-1-94-01) at the Naples Municipal Airport.

Commissioner Stricklen moved Board authorization for the Chair to execute Resolution 2016-3 as presented by Mr. Keith. Vice Chair Nocera seconded. Motion passed 5-0.

**4. Authorize the Executive Director to Execute a Contract in the Amount of \$1,466,753 for the Construction of Taxiway A Improvements and Holding Bay**

Mr. Keith requested Board authorization for the Executive Director to execute a contract in the amount of \$1,466,753 with Owen Ames Kimball (OAK), for the construction of Taxiway A improvements and holding bay. There were four bids, and OAK was the responsive low bidder compared to bids as high as \$2,500,000.

Commissioner Stricklen moved Board authorization for the Executive Director to execute the contract in the amount of \$1,466,753 as presented by Mr. Keith. Vice Chair Nocera seconded. Motion passed 5-0.

**5. Approve FY 2017 Operating and Capital Budget; Adopt Resolution 2016-4**

Ms. Etelamaki requested Board approval of the FY 2017 Operating and Capital Budget and adoption of Resolution 2016-4. She provided a presentation of the recommended budget that included the FY 2017 base assumptions, key budget assumptions and operating and capital budget. Mr. Rozansky discussed several important strategic planning initiatives related to some of the budget increases. There was Board and staff discussion regarding the customer experience and initiatives to improve the passengers' experiences.

Ms. Etelamaki presented a comparison of the FY 2016 and FY 2017 net assets summary, expenses and expenditures, and cash summary. Chair Messer noted the reduction in the budget for repair and maintenance expenses and congratulated staff on that change.

Vice Chair Nocera moved Board approval of the FY 2017 Operating and Capital Budget and Board adoption of Resolution 2016-4. Commissioner Rideoutte seconded. Motion passed 5-0.

**6. Approve Second Amendment to Lease Agreement with Eagle Creek Aviation Services, Inc.**

Ms. Dugan requested Board approval for the Chair to execute the Second Amendment to City of Naples Airport Authority Lease Agreement between Eagle Creek Aviation Services, Inc., and the Authority for the Executive Hangar #2 Facility located at 399 Citation Point for an initial term of five years with an option to renew for an additional five years. She provided a background of the lease history and the Executive Director's recommendations for the rental amounts.

Vice Chair Nocera moved Board approval for the Chair to execute the Second Amendment to City of Naples Airport Authority Lease Agreement between Eagle Creek Aviation Services, Inc., and the Authority as presented by Ms. Dugan. Commissioner Evans seconded. Motion passed 5-0.

**7. Approve Administrative Services Agreement with ICMA-RC**

Ms. Dugan requested Board authorization for the Chair to execute the Administrative Services Agreement for a Retirement Plan Recordkeeper and Service provided between City Management Association Retirement Corporation (ICMA-RC) and City of Naples Airport Authority. She provided

a background of the Authority plans, Request for Proposal process taken with the assistance of Montgomery that led to the negotiated Administrative Services Agreement, and review the terms included in the Agreement. On behalf of the Board, Chair Messer thanked Ms. Dugan and staff for their perseverance in negotiating the Agreement. Commissioner Evans commented that the Consultant Selection Committee process was a positive experience that allowed what was learned to be put forth into the Agreement.

Commissioner Evans moved Board authorization for the Chair to execute the Administrative Services Agreement for a Retirement Plan Recordkeeper and Service provided between ICMA-RC and the City of Naples Airport Authority as presented by Ms. Dugan. Vice Chair Nocera seconded. Motion passed 5-0.

**8. Adopt Resolution 2016-5 Resolution to Appoint and Indemnify the Executive Director as Trustee of the Authority's 457(B) Deferred Compensation Plan and 401(A) Defined Contribution Plans**

Ms. Dugan requested Board adoption of Resolution 2016-5 to appoint and indemnify the Executive Director as Trustee of the Authority's 457(B) Deferred Compensation Plan and 401(A) Defined Contribution Plans as part of the formality as it relates to the above Action Item 7.

Vice Chair Nocera moved Board adoption of Resolution 2016-5 to appoint and indemnify the Executive Director as Trustee of the Authority's 457(B) Deferred Compensation Plan and 401(A) Defined Contribution Plans. Commissioner Rideoutte seconded. Motion passed 5-0.

**H. NEW BUSINESS**

There was no new business.

**I. OLD BUSINESS**

**1. Noise Compatibility Committee (NCC) Update**

Chair Messer reported that at the NCC's meeting on August 25<sup>th</sup> the members were provided updates regarding initiatives and priorities of the NCC and NAA, specifically increasing the utilization of Runway 14-32 by constructing displaced thresholds to increase takeoff length and, raising the 2,000 foot departure altitude. She also stated that the NCC continues to build a stronger relationship with the FAA, and that the NCC scheduled a workshop meeting on October 4<sup>th</sup>, 2016 at 9 a.m. in the Airport Office Building to hear from industry subject matter experts who have experience with Metroplex projects across the country. She encouraged the public to attend.

**2. Air Service Update**

An Air Service Update was distributed to Board members in advance of the Board meeting. The update included passenger and flight data, expenses incurred and revenues through August 2016, as well as the status of Elite Airways' schedule. Commissioner Rideoutte reviewed Elite's schedule and

said that because Elite started late in the season, any Board discussions relative to the benefit of the service would be difficult. He anticipates that next spring will be a more likely time to discuss this.

**3. Commercial Air Service Study – Phase 2**

As a follow up to the May Regular Meeting, Mr. Rozansky said that this item was tabled for discussion to the September Regular Meeting. He said that since Elite will be making announcements to add service to the Northeast soon, there was nothing else to report other than a reminder to bring it up for discussion.

**4. Revised Design of Gordon River Greenway in West Quadrant of the Airport**

Mr. Keith requested Board approval of the revised design for the proposed Gordon River Greenway easement on the West Quadrant of the airport. He said that at the February Regular Meeting, Ms. Ellie Krier's presentation did not include an eastward extension within the planned pathway area and showed an aerial of the area that was excluded. With Board approval of this area, Mr. Keith advised that the Executive Director is prepared to execute a Modification and Partial Termination of Easement and Sublease for Public Greenway.

Vice Chair Nocera moved Board approval of the revised design for the proposed Gordon River Greenway easement on the West Quadrant of the airport as presented by Mr. Keith. Commissioner Rideoutte seconded. Motion passed 5-0.

**J. MANAGEMENT TEAM REPORT**

**1. Management Team Report**

Chair Messer commented on the increase in fuel sales as noted in the Management Team Report.

Commissioner Evans noted that the voluntary curfew rate was up 24.8 percent, primarily due to Collier Mosquito Control District's operations, and expressed appreciation for their service.

**K. FINANCIAL REPORTS**

**1. Financial Summary**

Ms. Etelamaki provided a summary of the financial reports through the end of August 2016. Ms. Etelamaki and Mr. Rozansky responded to the Board's questions. A question and answer period followed.

Commissioner Evans moved acceptance of the Financial Summary. Vice Chair Nocera seconded. The motion passed 5-0.

**L. COUNSEL'S REPORT**

**1. Counsel's Report**

Mr. Owens reported that a lot of his time has been spent on contract and leasing matters. He reported that there was no pending or new litigation to report.

**M. PUBLIC COMMENTS (5 minute limit)**

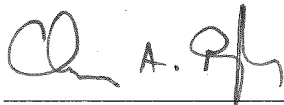
There were no public comments.

**N. CORRESPONDENCE/COMMISSIONER COMMENTS & REQUESTS/MEETINGS**

Chair Messer advised the public that applications are being accepted for a Commissioner's seat which expires after the November Regular Meeting. She encouraged anyone interested in applying for a seat on the Authority Board to visit [www.naplesgov.com](http://www.naplesgov.com) and select "Boards and Committees" for more information. Vice Chair Nocera added that interested citizens could also visit the City Clerk's office.

**O. ADJOURN**

With no further business, the meeting adjourned at 10:22 a.m.



Christopher A. Rozansky  
Secretary

**NOTE:** Printed copies of all visual presentations and handouts are on file in the Executive Assistant's Office.



**BOARD OF COMMISSIONERS OF  
CITY OF NAPLES AIRPORT AUTHORITY**

**Chair: Donna M. Messer**

**Commissioners: John Nocera, Dick Evans, James Rideoutte, Raymond Stricklen**

**Executive Director: Christopher A. Rozansky**

**Authority Attorney: William L. Owens, Esq. of Bond, Schoeneck & King, PLLC**

**NOTICE OF REGULAR MEETING  
OF THE BOARD OF COMMISSIONERS OF  
CITY OF NAPLES AIRPORT AUTHORITY  
THURSDAY, SEPTEMBER 15, 2016 8:30 A.M.  
CITY HALL COUNCIL CHAMBERS  
735 EIGHTH STREET SOUTH  
NAPLES, FLORIDA**

**NOTICE:** Formal action may be taken on any item listed on the Agenda below, or added to the Agenda before or during the meeting, or discussed during the meeting without being added to the Agenda. Also, the sequence of items may be changed as the meeting progresses. Any person who decides to appeal a decision made by the Board of Commissioners with respect to any matter considered at this meeting (or hearing) will need a record of the proceeding and may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be heard.

**NOTICE:** Any person with a disability requiring auxiliary aids or services for meetings at the City Council Chamber may call the City Clerk's Office at 213-1015, or for meetings at the Airport Office Building, the NAA Executive Assistant's Office at 643-0733, with requests at least two business days before the meeting.

**SPEAKERS:** Welcome. If you wish to address the Board of Commissioners regarding an item listed on the Agenda, please complete a Speaker Registration form (available at the rear of the room) and hand it to the Executive Assistant prior to consideration of that item. We ask that speakers limit comments to 5 minutes and that large groups name a spokesperson whenever possible. All written, audio-visual, and other materials distributed to the Board or staff during this meeting will become the property of NAA and will be a public record. Thank you for your interest and participation.

**A. ROLL CALL**

**B. PLEDGE OF ALLEGIANCE**

**C. AGENDA (Add, delete or re-sequence items)**

**D. MINUTES**

1. 18 August 2016 Regular Meeting

**E. PRESENTATIONS AND TIME CERTAIN ITEMS**

1. Real Estate Partners International, LLC ("REPI") - Jerry Starkey

**F. PUBLIC COMMENTS (Public comments accepted for items not otherwise listed on the Agenda; 5 minute limit)**

**G. ACTION ITEMS (Public comments accepted for each item; 5 minute limit)**

1. Amend Policy Regarding the Proposed Gateway Triangle Development
2. Authorize the Executive Director to Execute FAA Grant 3-12-0053-035-2016 in the Amount of \$1,580,993 To Reconfigure Taxiway A and Construct a Holding Bay
3. Authorize the Chair to Execute Resolution 2016-3, Authorizing the Executive Director to Execute a Joint Participation Agreement (JPA) with the FDOT in the amount of \$87,883 to Design and Construct Taxiway A Improvements and Holding Bay (FPN 438974-1-94-01) at the Naples Municipal Airport
4. Authorize the Executive Director to Execute a Contract in the amount of \$1,466,753 for the Construction of Taxiway A Improvements and Holding Bay
5. Approve FY 2017 Operating and Capital Budget; Adopt Resolution 2016-4
6. Approve Second Amendment to Lease Agreement with Eagle Creek Aviation Services, Inc.
7. Approve Administrative Services Agreement with ICMA-RC
8. Adopt Resolution 2016-5 Resolution to Appoint and Indemnify the Executive Director As Trustee of the Authority's 457(B) Deferred Compensation Plan and 401(A) Defined Contribution Plans

**H. NEW BUSINESS**

**I. OLD BUSINESS**

1. Noise Compatibility Committee Update
2. Air Service Update
3. Commercial Air Service Study – Phase 2
4. Revised Design of Gordon River Greenway in West Quadrant of the Airport

**J. MANAGEMENT TEAM REPORT**

1. Management Team Report

**K. FINANCIAL REPORTS**

1. Financial Summary

**L. COUNSEL'S REPORT**

1. Counsel's Report

**M. PUBLIC COMMENTS (5 minute limit)**

**N. CORRESPONDENCE/COMMISSIONER COMMENTS & REQUESTS/MEETINGS**

**O. ADJOURN**

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Information on Action Items and other items which has been provided in advance of this meeting may be inspected at the office of the Executive Assistant, General Aviation Terminal Building, 2<sup>nd</sup> Floor, 160 Aviation Drive North. Minutes of this meeting will be prepared for Board approval, usually at the next Regular Meeting.

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