

TITUSVILLE – COCOA AIRPORT AUTHORITY

The Regular Meeting of the Titusville - Cocoa Airport Authority was held on April 16, 2020 at 8:30 a.m. at the Titusville - Cocoa Airport Authority Office at 355 Golden Knights Boulevard, Titusville, FL and Via Video Conference. The following members were present via video conference: Mr. Jerry Sansom, Chairman; Mr. John Craig, Vice Chairman; Mr. Harry Carswell, Treasurer; Mr. Al Elebash, Secretary; Mr. Roger Molitor; Mr. Donn Mount; Mr. Al Voss; Mr. Michael D. Powell, C.M., ACE, CEO; Mr. Adam Bird, Attorney.

Call to Order

Mr. Sansom called the meeting to order and determined that a quorum was present.

Approval of the Agenda

Mr. Sansom asked if there were any proposed changes to the Agenda. Seeing none, Mr. Sansom called for a motion to approve the Agenda as presented. Mr. Craig made a motion to approve the Agenda. Mr. Elebash seconded. Mr. Sansom called the question. There were no objections. Motion passed.

Appearances – None**Presentations –****Item A – Ms. Debbie Goode of Carr, Riggs & Ingram, LLC**

Mr. Sansom recognized Ms. Goode to present the Airport Authority's Annual Audit. Ms. Goode introduced herself and stated that she wanted to report on the audit that was just completed. Ms. Goode showed a presentation on screen and stated that all Board members received a copy of the un-modified audit opinion. Ms. Goode went over the sections of the audit with the Board. Ms. Goode stated that there were several reports at the back of the audit. Ms. Goode reported there was a state and federal grant audit that had to be done for the first time in many years and she was pleased to report that those audits went very well. Ms. Goode stated that the Airport Authority Staff did a really good job.

Ms. Goode stated that there were a few recommendations for internal control improvements, which were in the report. Ms. Goode stated that management had responded to the comment. Ms. Goode stated that there was a management letter, which was required by the Auditor General of the State of Florida to be included in the package. Ms. Goode stated that in that letter it required that they look at previous year comments and indicate whether they had been corrected. Ms. Goode stated that there were two comments and they had been corrected. Discussion continued.

Mr. Sansom turned the floor over to questions from the Board. Seeing no questions or comments, Mr. Sansom called for a question to accept the audit as presented.

Mr. Elebash made the motion. Mr. Voss seconded. Mr. Sansom called the question. Motion passed.

Consent Agenda

Item A – Approval of the Titusville-Cocoa Airport Authority Minutes:

1. February 20, 2020 – Regular Meeting

Mr. Powell noted, for the record, that Mr. Carswell had joined the meeting.

Mr. Sansom called for a motion to approve the Consent Agenda. Mr. Craig made the motion. Mr. Carswell seconded. Mr. Sansom called the question. There were no objections. Motion passed.

New Business

Item A – Discussion and Consideration of a Lease at Space Coast Regional Airport

Mr. Powell gave an overview of the item, stating that Dr. Joseph Flynn had requested some office space at Space Coast Regional Airport. Mr. Powell stated that there were two offices in one of the suites in the Administration Building that seemed to suit his needs, but due to the fact that he needed the space quickly and the meeting in March had been canceled, Staff had worked with Mr. Bird to come up with a temporary lease until it could be brought to the Board for a vote. Mr. Powell stated that Dr. Flynn did send a letter afterwards asking for consideration for reduced rent for the two offices, three parking spaces and common area. Mr. Powell stated that the monthly fee was \$760.10, Mr. Powell stated that he advised Dr. Flynn that Staff did not have the authority to provide anything other than fair-market-value. Discussion continued.

Mr. Molitor stated that Dr. Flynn did flight physicals, so he felt that it was an asset to the pilots to have him right there on the airfield, and also that a lot of people would fly in if they knew they could park right there and get their physical. Mr. Molitor stated that he felt the Authority should accept Dr. Flynn's request to have a reduced rate until he could get going. Mr. Molitor stated that he would like the Board to consider \$500.00 a month for the first year.

Mr. Sansom asked the Board if they felt it was a valuable service to have Dr. Flynn in the building. Mr. Voss stated that he felt it would benefit the community and the airport, and that he felt the request was reasonable.

Mr. Sansom asked how long the lease should be for. Mr. Molitor stated that he felt Mr. Flynn would like to have a one year lease, at which time it could be renewed. Discussion continued.

Mr. Molitor made a motion to allow Dr. Flynn to move into the two offices for \$500.00 a month for one year. Mr. Mount seconded the motion. Discussion continued.

Mr. Powell explained how Staff came up with the asking rate, based on square footage and CPI. Mr. Craig asked if there was any other tenants that were paying rental rates based on the method Mr. Powell described. Mr. Powell stated that the FBO, USATS, which had the largest suite, was paying based on his description. Ms. Ashley Campbell stated that the FBO paid based on CPI which was adjusted annually. Mr. Craig asked if the Airport Authority paid for up-keep. Ms. Campbell explained that there was a common area maintenance fee that was included with the monthly rate, and at the end of the year it was reconciled against monthly utility bills and were able to either charge the balance or adjust. Ms. Campbell stated that the Airport Authority had never collected more than was needed. Mr. Craig asked if the CAM fee was wrapped into the fair-market-value. Mr. Powell stated that everything was wrapped into the monthly fee. Mr. Craig stated that he felt the \$500.00 was not based on anything and if the Authority was going to lower Dr. Flynn's rate than they would have to lower everybody else's. Mr. Craig stated he was not in favor of the \$500.00.

Mr. Elebash asked if the \$760.10 included the CAM fee. Ms. Campbell stated that it did. Mr. Powell stated that it also included parking. Mr. Elebash stated that he was against the motion. Discussion continued.

Mr. Powell stated that the proposed amount for the two office spaces was \$612.00 plus \$16.50 for the parking spaces, and the CAM fee was \$90.75. Mr. Craig recommended, as another option, to remove or suspend CAM and roll it back in at another point in time. Mr. Sansom asked Mr. Molitor if he would consider modifying his motion to waive the CAM fee for a six month period. Mr. Sansom stated that the Authority could probably waive the parking fee and the CAM fee for six months. Mr. Molitor stated he wanted to leave his motion and have the Board vote on it, and then re-consider a new motion if it got voted down. Discussion continued.

Mr. Sansom called the question. Mr. Molitor, Mr. Mount and Mr. Voss voted yes. Mr. Sansom, Mr. Elebash, Mr. Craig and Mr. Carswell voted no. The motion failed 4-3.

Mr. Craig made a motion to structure a lease as presented by the CEO with a temporary six-month abatement of the CAM and parking charges for the office space listed, with the lease being for one year. Mr. Mount seconded. Mr. Sansom called the question. Mr. Sansom, Mr. Craig, Mr. Elebash, Mr. Molitor, Mr. Mount and Mr. Voss voted yes. Mr. Carswell voted no. Motion passed.

Item B – Discussion and Consideration of the Commercial Real Estate Brokerage Agreement

Mr. Powell gave a brief overview of the item, stating that the Board had requested that Staff bring the agreement with Lightle, Beckner & Robinson (LBR) back for re-consideration. Discussion continued.

Mr. Powell stated that the extensions in the agreement were good until the end of June, and that there had not been a lot of activity. Mr. Powell stated that the Board could decide to structure a new agreement.

Mr. Molitor asked if the agreement expired in July. Mr. Powell stated that it did, but there were two options. Mr. Molitor asked for an overview of what they had done so far. Mr. Powell gave a brief explanation. Discussion continued.

Mr. Sansom gave Staff direction to have LBR do a presentation at the next physical Board meeting. The Board concurred. Discussion continued.

Mr. Craig stated that he thought it was a great idea to have LBR come in and speak to the Board, but he felt that if the Board decided to continue the relationship, it was a perfect time to have an individual Board member with real estate background sit down with Mr. Bird, Mr. Powell and LBR to define what the Board is looking for. Discussion continued.

Item C – Discussion and Consideration of the Monthly Board Meeting Time

Mr. Powell gave an overview of the item, stating that the Board had asked Staff to check with the tenants and airport users to get their opinion on the time of day that the Board meetings were held to see if they would rather have the meetings after 5:00 p.m. Mr. Powell stated that Staff did reach out and out of about 390 emails, thirty bounced back, eight mentioned having the meeting after 5:00 p.m. and six shared that they thought the current 8:30 a.m. time was good. Mr. Sansom stated that if the time was switched to 5:00 p.m. there would be several meetings he would not be able to attend. The Board concurred that there was not enough dissent by others to move the meetings to another time.

Item D – Discussion by Mr. Aaron McDaniel of Recent Invoiced Costs by Michael Baker International and Contractors Regarding Current Projects

Mr. Powell turned the floor over to Mr. McDaniel.

Mr. McDaniel presented Pay Request Number 12 in the amount of \$152,404.17 from H.L. Pruitt and Pay Request Number 12 in the amount of \$23,163.45 from Michael Baker International, which were both for the Airfield Lighting Rehabilitation Project at Space Coast Regional Airport.

Mr. Elebash made a motion to approve the invoices. Mr. Carswell seconded. Mr. Sansom called the question. There were no objections. Motion passed.

Item E – Discussion by Mr. Rob Hambrecht of Recent Invoiced Costs by AVCON and Contractors Regarding Current Projects

Mr. Powell turned the floor over to Mr. Hambrecht.

Mr. Hambrecht presented Pay Request Number 6 – Design Final in the amount of \$612.06 and Pay Request Number 1 – Construction in the amount of \$990.93, both from AVCON, Inc., which were for the PAPI Replacement Project at Merritt Island Airport.

Mr. Hambrecht presented Pay Request Number 7 – Design Final in the amount of \$699.45 and Pay Request Number 1 – Construction in the amount of \$990.93, both from AVCON, Inc., which were for the PAPI Replacement Project at Arthur Dunn Airpark.

Mr. Hambrecht presented Pay Request Number 5 in the amount of \$1,000.00 and Pay Request Number 6 – Final in the amount of \$9,000.00, both from AVCON, Inc., and Pay Request Number 1 – Construction Final in the amount of \$49,129.35 from Hi-Lite Airfield Services, LLC, which were for the Airfield Marking Improvements Project at Arthur Dunn Airpark.

Mr. Carswell made a motion approve the invoices. Mr. Craig seconded. Mr. Sansom called the question. There were no objections. Motion passed.

Item F – Discussion and Consideration of a Sublease at Space Coast Regional Airport

Mr. Powell gave an overview of the item, stating that Airscan had asked for the allowance of subleasing half of the Space Coast Jet Center hangar to another entity for six months. Mr. Powell stated that it was for an aviation oriented entity. Discussion continued.

Mr. Molitor made a motion to approve the sublease. Mr. Voss seconded. Mr. Sansom called the question. There were no objections. Motion passed.

Information Section

CEO Report

Mr. Powell reported that under the current circumstances, Staff had been very busy, adding that they had spent a lot of time with CRI during the audit process and there was also a Part 139 Inspection at Space Coast Regional Airport. Mr. Powell stated that overall the inspection went well, but there were a couple of things that needed to be addressed. Mr. Powell stated there was some deterioration on the crosswind runway and some cracking on the center line, but FAA and FDOT had agreed to fund the rehab on 9-27 and 18-36, in addition to looking at funding the parallel taxiway on the west side of 18-36. Mr. Powell stated that it would allow the Airport Authority to open that area up for development, and put in a retention pond.

Mr. Powell reported that Staff had several conversations with entities looking to build at the airport, including a group working with Eastern Florida State College. Mr. Powell stated that he had sent the Board an update on the area they were interested in at Space Coast Regional Airport.

Mr. Powell reported that MagAero was very close on some new government contracts that they would need separate facilities for, and were leaning towards constructing one, maybe two, hangars directly across from their current facility at Space Coast Regional Airport.

Mr. Powell stated that Staff had been working with the County EDC on getting some numbers and a project together for some additional stimulus money that may help the Airport Authority to get the perimeter road all the way down to its southern boundaries to include the clean out of the cut through area over to Grissom Parkway at Space Coast Regional Airport, and also through the property out to State Road 407. Discussion continued.

Mr. Craig asked if there was an update on the broken camera and some other issues at Merritt Island Airport. Mr. Powell gave a brief update on the status of the Box Hangars and the security camera, stating that the camera itself was fixed but there was still an issue with the camera server that was being worked on.

Mr. Powell concluded his report.

Attorney Report

Mr. Bird talked about a previous discussion regarding Board member site visits, stating that he had done some research, but unfortunately concluded that when there was a group of board members together it was considered under the law as a meeting and was subject to Sunshine Law. Mr. Bird gave an example of a case in Seminole County where the school board members got on a bus and drove around together. The 5th District stated that it was a violation of the Sunshine Law. Mr. Bird stated from his perspective, he thought that the Authority could do individual Board member site visits, but should not go as a group. Mr. Sansom added that Board members could go as a group if it was noticed as a meeting. Mr. Bird stated that it was true, but members of the public would have to be invited as well. Mr. Sansom suggested that if there were Board members that wanted to do that, Staff would just notice it for after the regular meeting and use their own transportation or rent a bus for whoever wanted to go, including the public. Mr. Sansom directed the Board to let Mr. Powell know if they were interested in that. Discussion continued.

Mr. Bird discussed the Crisafulli Property Management Agreement at Space Coast Regional Airport, stating that it would be under a different entity of Crisafulli Enterprises called 5525, LLC. Mr. Bird stated that at the Board's direction the lease agreement was reduced to a new document that was entitled the Property Management Agreement, and Staff was working on finalizing that agreement. Mr. Bird stated that the agreement would still have protections and insurance

requirements, but it would be a much simpler document than the initial lease. Discussion continued.

Mr. Bird stated that the gentleman from Artisan Trees called him and he still owed him a return call. Mr. Bird recapped the issue, stating that Artisan Trees owed the Airport Authority money for some trees they harvested at Space Coast Regional Airport. Mr. Bird stated he and Staff were working on resolving the issue amicably, if possible. Discussion continued.

Mr. Bird discussed Voyager Aviation at Merritt Island Airport, stating that they had not yet sent back the amendment on their lease which regarded that the entity that was previously on the lease had been released and converted to a new entity. Mr. Bird stated that before the fueling amendment could be executed, Staff had to make sure the right entity would be on the hook, but he suspected the pandemic had caused a delay.

Mr. Bird concluded his report.

Check Register & Budget to Actual

Mr. Powell stated that Staff wasn't able to provide financials this month, but would make sure to get it all to the Board at the next meeting. Discussion continued.

Administration & Project Reports

Mr. Powell stated that the report was provided.

Authority Members Report

Mr. Molitor asked about the Budget Meetings. Mr. Powell briefly explained. Mr. Sansom asked Mr. Molitor if he would like to schedule the property tour after the June Regular Board Meeting. Mr. Molitor stated that he would. Mr. Sansom directed Mr. Powell and Mr. Bird to work on scheduling and noticing that.

Mr. Craig discussed updating policies, stating that it was a great time to do that. Mr. Craig asked if Mr. Powell and Mr. Bird had started that conversation, and if so, what their game-plan was over the next six months to a year to figure out how it was going to be done. Mr. Powell stated that they had been working on it, using the Valkaria Airport policies as a guide. Mr. Powell stated that he had hoped with the next month or two to be able to bring some of the changes to the Board to go through it. Discussion continued.

Mr. Elebash asked if there was an update on the Manor Drive easement issue at Merritt Island Airport. Mr. Powell stated Mr. DeGrasso had sent letters to two of the County Commissioners to give them his side of the story. Mr. Powell stated that he thought Mr. DeGrasso was going to be present at today's meeting, but he wasn't sure if he was there. Mr. Elebash had a suggestion of the possibility of a leaseback,

where the Authority would buy the property and lease it back to Mr. DeGrasso. Mr. Powell stated that he would look into that. Discussion continued.

Mr. Sansom discussed the legislative session, stating that the budget was finished, but had not gone to the governor yet for approval, because of the pandemic. Mr. Sansom stated that projects were totally up in the air, and he suspected that within two or three months the legislature would have to go back for a special session. Discussion continued.

Public & Tenants Report

Mr. Don White stated that the Young Eagles Event scheduled for April 25th would have to be moved to June 13th, tentatively. Mr. White stated that he had asked Airport Authority Staff if that date was feasible because of the upcoming construction, but had not heard back yet. Mr. White asked Mr. Powell if there was any news regarding that. Mr. Powell stated that he had reached out Mr. McDaniel from Michael Baker International, and that Mr. McDaniel had to get with the proper person to see if there was any way to mitigate to allow that activity in the proposed area. Mr. Powell stated that he had not yet heard anything back about that. Mr. McDaniel stated that the month of June would be right in the middle of the project and would be very congested, but he felt it may be doable as long as Staff sat down with Mr. White and the FBO and identified what could be done with all the aircraft. Mr. McDaniel stated that the potential was good that they could work out a plan. Discussion continued.

Adjournment

Mr. Sansom adjourned the meeting at 10:06 a.m.

JERRY SANSOM, CHAIRMAN

AL ELEBASH, SECRETARY