

BOARD OF PORT COMMISSIONERS OF THE LEE COUNTY PORT AUTHORITY


1. WORDING FOR AGENDA: Request Committee present Retirement Resolution to Jeffery C. Amburgey.	2. SUBJECT CATEGORY:
FUNDING SOURCE: 	3. MEETING DATE: 12-22-09

4. AGENDA: <input type="checkbox"/> CONSENT <input type="checkbox"/> ADMINISTRATIVE <input type="checkbox"/> APPEALS <input type="checkbox"/> PUBLIC TIME REQUIRED: (Public Only)	5. REQUIREMENT/PURPOSE: (Specify) <input type="checkbox"/> STATUTE _____ <input type="checkbox"/> ORDINANCE _____ <input type="checkbox"/> ADMIN. CODE _____ <input type="checkbox"/> OTHER _____	6. REQUESTOR OF INFORMATION: A. (ALL REQUESTS) NAME <u>Benjamin R. Siegel</u> DIV. <u>Administration</u> B. (PUBLIC ONLY) CITIZEN NAME _____ CITIZEN PHONE _____
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7. BACKGROUND:

RETIREMENT RESOLUTION
 Jeffery C. Amburgey, Police Major – Airport Police Department, December 31, 2009

8. RECOMMENDED ACTION:

9. RECOMMENDED APPROVAL				
ADMINISTRATION DIVISION	GENERAL SERVICES	FINANCE	PORT ATTORNEY	EXECUTIVE DIRECTOR
				

10. SPECIAL MANAGEMENT COMMITTEE ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/> DEFERRED <input type="checkbox"/> OTHER _____ Chairman	11. PORT AUTHORITY ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/> DEFERRED <input type="checkbox"/> OTHER
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BOARD OF PORT COMMISSIONERS OF THE LEE COUNTY PORT AUTHORITY

1. WORDING FOR AGENDA:
Request Committee present Service Awards to Carol Saccomani and Carol Obermeier.

FUNDING SOURCE:

2. SUBJECT CATEGORY:

3. MEETING DATE: 12-22-09

4. AGENDA:

CONSENT
 ADMINISTRATIVE
 APPEALS
 PUBLIC

TIME REQUIRED:
(Public Only)

5. REQUIREMENT/PURPOSE:
(Specify)

STATUTE
 ORDINANCE
 ADMIN. CODE
 OTHER

6. REQUESTOR OF INFORMATION:

A. (ALL REQUESTS)
NAME Benjamin R. Siegel
DIV. Administration

B. (PUBLIC ONLY)
CITIZEN NAME _____
CITIZEN PHONE _____

7. BACKGROUND:

TEN-YEAR SERVICE AWARD
Carol Saccomani, Directors Office, December 1, 2009

FIFTEEN-YEAR SERVICE AWARD
Carol Obermeier, Aviation/Marketing, December 29, 2009

8. RECOMMENDED ACTION:

9. RECOMMENDED APPROVAL

ADMINISTRATION DIVISION	GENERAL SERVICES	FINANCE	PORT ATTORNEY	EXECUTIVE DIRECTOR
				

10. SPECIAL MANAGEMENT COMMITTEE ACTION:

APPROVED
 DENIED
 DEFERRED
 OTHER

_____ Chairman

11. PORT AUTHORITY ACTION:

APPROVED
 DENIED
 DEFERRED
 OTHER

BOARD OF PORT COMMISSIONERS OF THE LEE COUNTY PORT AUTHORITY

a

1. WORDING FOR AGENDA:

Request Committee approve the Minutes of the November 24, 2009, Airports Special Management Committee meeting.

2. SUBJECT CATEGORY:

FUNDING SOURCE: N/A

3. MEETING DATE:

12-22-09

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC

TIME REQUIRED:
(Public Only)

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE _____
- ORDINANCE _____
- ADMIN. CODE _____
- OTHER _____

6. REQUESTOR OF INFORMATION:

- A. (ALL REQUESTS)
NAME Benjamin R. Siegel
DIV. Administration
- B. (PUBLIC ONLY)
CITIZEN NAME _____
CITIZEN PHONE _____

7. BACKGROUND:

8. RECOMMENDED ACTION:

Recommend Committee approve the Minutes of the November 24, 2009, Airports Special Management Committee meeting.

9. RECOMMENDED APPROVAL

ADMINISTRATION DIVISION	GENERAL SERVICES	FINANCE	PORT ATTORNEY	EXECUTIVE DIRECTOR
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10. SPECIAL MANAGEMENT COMMITTEE ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Chairman

11. PORT AUTHORITY ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

BOARD OF PORT COMMISSIONERS OF THE LEE COUNTY PORT AUTHORITY

b

1. WORDING FOR AGENDA: Request Board approve a "Nonparticipating Airline Airport Use Permit" agreement with Frontier Airlines, Inc. FUNDING SOURCE: N/A	2. SUBJECT CATEGORY: Budgeting, Purchases, Contracts, and Agreements
3. MEETING DATE: 12-22-09	

4. AGENDA: <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADMINISTRATIVE <input type="checkbox"/> APPEALS <input type="checkbox"/> PUBLIC TIME REQUIRED: (Public Only)	5. REQUIREMENT/PURPOSE: (Specify) <input type="checkbox"/> STATUTE _____ <input type="checkbox"/> ORDINANCE _____ <input type="checkbox"/> ADMIN. CODE _____ <input type="checkbox"/> OTHER _____	6. REQUESTOR OF INFORMATION: A. (ALL REQUESTS) NAME <u>Benjamin R. Siegel</u> DIV. <u>Administration</u> B. (PUBLIC ONLY) CITIZEN NAME _____ CITIZEN PHONE _____
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7. BACKGROUND:

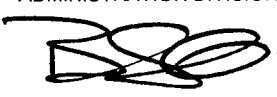
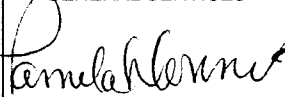
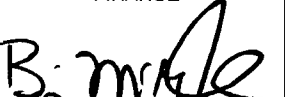
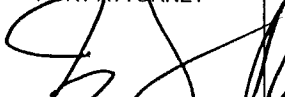

Frontier Airlines, Inc. previously operated at Southwest Florida International Airport under an agreement with the Authority dated November 13, 2002. Frontier filed a petition for reorganization under Chapter 11 of the U.S. Bankruptcy Code in April 2008, and suspended operations to Fort Myers the following month. Upon exiting Chapter 11, Frontier did not assume its 2002 agreement with the Authority, effectively terminating it. In November 2009, Frontier restarted their nonstop service between Denver and Southwest Florida International Airport, and, as requested, signed the latest version of the Authority's standard "Nonparticipating Airline Airport Use Permit."

This proposed permit agreement allows the carrier to use certain ramp space, equipment, and terminal facilities, in return for landing fees, terminal use fees, equipment use charges, aircraft parking fees, etc. The proposed agreement may be terminated by either party upon thirty (30) days advance written notice.

The following page contains a summary of the main terms of the proposed agreement. Following that is the proposed agreement.

8. RECOMMENDED ACTION:
 Recommend Board approve a "Nonparticipating Airline Airport Use Permit" agreement with Frontier Airlines, Inc.

9. RECOMMENDED APPROVAL

ADMINISTRATION DIVISION	GENERAL SERVICES	FINANCE	PORT ATTORNEY	EXECUTIVE DIRECTOR
				

10. SPECIAL MANAGEMENT COMMITTEE ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/> DEFERRED <input type="checkbox"/> OTHER _____ <div style="text-align: center;">_____ Chairman</div>	11. PORT AUTHORITY ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/> DEFERRED <input type="checkbox"/> OTHER _____
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BOARD OF PORT COMMISSIONERS OF THE LEE COUNTY PORT AUTHORITY

C

1. WORDING FOR AGENDA:

Request Board accept a state grant by adopting a Resolution authorizing the execution of a Master Joint Participation Agreement Number 2010A between the Florida Department of Transportation and the Lee County Port Authority adding \$1,463,836 for airport projects.

FUNDING SOURCE: N/A

2. SUBJECT CATEGORY:

Budgeting, Purchases, Contracts, and Agreements

3. MEETING DATE:

12-22-09

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC

TIME REQUIRED:
(Public Only)

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. (ALL REQUESTS)
 NAME Mark R. Fisher
 DIV. Development
- B. (PUBLIC ONLY)
 CITIZEN NAME _____
 CITIZEN PHONE _____

7. BACKGROUND:

Port Authority staff has worked closely with the Florida Department of Transportation (FDOT) District One staff to develop Master Joint Participation Agreement (MJPA) Number 2010A which will provide funding for current and future capital improvement projects at Southwest Florida International (RSW) and Page Field General Aviation (FMY) Airports. This MJPA includes new funding in the amount of \$1,463,836 for construction of the Fowler Street and airport entrance road improvements that will support the general aviation terminal complex at FMY, as well as project description changes to add construction phases for all the landside components of the FMY General Aviation Terminal Complex and the RSW Aircraft Rescue and Fire Fighting Station. The MJPA also contains a new Exhibit E that governs payment of funds beyond the current fiscal year that are shown within the agreement, and reiterates that funding within the FDOT's Five-Year Work Program is subject to legislative appropriation.

8. RECOMMENDED ACTION:

Recommend Board accept a state grant by adopting a Resolution authorizing the execution of a Master Joint Participation Agreement Number 2010A between the Florida Department of Transportation and the Lee County Port Authority adding \$1,463,836 for airport projects.

9. RECOMMENDED APPROVAL

DEVELOPMENT DIVISION	GENERAL SERVICES	FINANCE	PORT ATTORNEY	EXECUTIVE DIRECTOR
				

10. SPECIAL MANAGEMENT COMMITTEE ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Chairman

11. PORT AUTHORITY ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

BOARD OF PORT COMMISSIONERS OF THE LEE COUNTY PORT AUTHORITY

2

1. WORDING FOR AGENDA:

Request Board authorize execution of a contract with Hole Montes in the amount of \$578,480 to provide construction administration services for the Page Field General Aviation Terminal Complex.

FUNDING SOURCE: Florida Department of Transportation Grant 405788-194-01; Account No. 21802041238.506510.70; FMY Construction Fund.

2. SUBJECT CATEGORY:

Budgeting, Purchases, Contracts, and Agreements

3. MEETING DATE:

12-22-09

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC

TIME REQUIRED:
(Public Only)

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. (ALL REQUESTS)
NAME Mark R. Fisher
DIV. Development
- B. (PUBLIC ONLY)
CITIZEN NAME _____
CITIZEN PHONE _____

7. BACKGROUND:

In 2002, the Lee County Port Authority (LCPA) contracted with Hole Montes to design the Page Field (FMY) General Aviation Terminal Complex. The design documents for the complex were completed in 2007. Securing federal and state grants allowed the airside portions of the program (Parallel Taxiways and Aircraft Parking Apron) to be constructed. Unfortunately, the lack of other available funding did not allow for the landside portions of the program (General Aviation Terminal Building; Parking Lot and Landscaping; Fowler Street Intersection Improvements; Multi-use Hangar; and General Aviation Fuel Farm) to move forward. As such, the completed design for these landside components was placed "on the shelf" and the Hole Montes contract with the LCPA expired.

In anticipation that the remaining landside portions of the FMY GA Terminal will begin construction in 2010, the Port Board competitively selected Hole Montes to perform construction administration duties for this project in November 2009. Since this time, staff has negotiated a scope of services to perform various duties (application and payment of permits; responding to contractor requests for information; reviewing contractor submittals and shop drawings; on-site inspections; revising design plans as a result of change orders; reviewing change orders and contractor pay applications; substantial and final completion inspections, and final certification that the project was built according to plans and specifications, etc.). Due to the lapse of time since the design was initially completed, additional duties also include reviewing current codes for changes and determining applicability to project plans; revising plans & specifications to provide a Leadership in Energy and Environmental Design (LEED) certification; provide administrative functions associated with obtaining the LEED certification; and ultimately submitting signed and sealed code-compliant plans for appropriate agency approvals.

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8. RECOMMENDED ACTION:

Recommend Board authorize execution of a contract with Hole Montes in the amount of \$578,480 to provide construction administration services for the Page Field General Aviation Terminal Complex.

9. RECOMMENDED APPROVAL

DEVELOPMENT DIVISION	GENERAL SERVICES	FINANCE	PORT ATTORNEY	EXECUTIVE DIRECTOR
<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

10. SPECIAL MANAGEMENT COMMITTEE ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Chairman

11. PORT AUTHORITY ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Background (continued)

The term of the contract will run concurrent with the length of assigned projects/tasks or 2013 (with an option for a two-year renewal to 2015), whichever occurs last. Hole Montes will perform these services for a total of \$578,480, with 95% of these fees going to local firms, 35% of the fees going to Hole Montes and 65% going to subconsultants, and an estimated 5% Disadvantaged Business Enterprises goal. As with all Port Authority Development contracts, all Tasks are contingent on the availability of funds and the issuance of a written Task Authorization in accordance with the Board-approved contract, and as approved by the Florida Department of Transportation and the Federal Aviation Administration as required. Only Tasks authorized to begin and subsequently performed can be billed by and paid to the Consultant.

BOARD OF PORT COMMISSIONERS OF THE LEE COUNTY PORT AUTHORITY

e

1. WORDING FOR AGENDA:

Request Board authorize execution of a contract with Cooner & Associates, Inc., in the amount of \$96,056 to provide for airport boundary survey services for the Page Field General Aviation Airport.

FUNDING SOURCE: Net revenues collected during the normal operation of Page Field General Aviation Airport, account VM5131841238.503190.

2. SUBJECT CATEGORY:

Budgeting, Purchases, Contracts, and Agreements

3. MEETING DATE:

12-22-09

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC

TIME REQUIRED:
(Public Only)

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. (ALL REQUESTS)
NAME Mark R. Fisher
DIV. Development
- B. (PUBLIC ONLY)
CITIZEN NAME _____
CITIZEN PHONE _____

7. BACKGROUND:

In March of 2007, the Port Board approved a task with the Port Authority's General Planning and Environmental Consultant to amend the Lee County Comprehensive Plan to incorporate all appropriate provisions of the Page Field Airport Master Plan and to rezone Page Field to an Airport Operations Planned Development (AOPD) in order to provide flexibility for future aviation and aviation-compatible land development. In September of 2007, the Board endorsed submittal of a Comprehensive Plan Amendment (CPA) application to incorporate the Page Field General Aviation Airport Master Plan Update and the Airport Layout Plan into the Lee Comprehensive Plan. Subsequent to this action, the Port Authority successfully completed the amendment process by achieving the Board's adoption of the amendment on February 25, 2009, and it was transmitted to the Florida Department of Community Affairs as part of the FS Chapter 163 Comprehensive Plan Amendment Process.



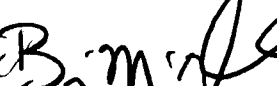


Following the CPA process, the Port Authority initiated the rezoning effort but was required under Florida Statutes 287 to undertake a separate solicitation in order to retain a consultant to perform boundary survey services. These services were deemed necessary in order to prepare a complete rezoning application that would meet local requirements under Sections 34-202 and 34-373(a)(4)a of the Lee County Land Development Code as applicable portions of U.S. Department of Transportation/FAA Advisory Circular No. 150/5300-18B, most recently updated in May of 2009. In November 2009, the solicitation process for a professional consultant to perform such Airport Boundary Surveys was concluded with the Board's selection of the firm Cooner & Associates.

- continued -

8. RECOMMENDED ACTION:

Recommend Board authorize execution of a contract with Cooner & Associates, Inc., in the amount of \$96,056 to provide for airport boundary survey services for the Page Field General Aviation Airport.

9. RECOMMENDED APPROVAL

DEVELOPMENT DIVISION	GENERAL SERVICES	FINANCE	PORT ATTORNEY	EXECUTIVE DIRECTOR
				

10. SPECIAL MANAGEMENT COMMITTEE ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

_____ Chairman

11. PORT AUTHORITY ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Background (continued)

Since that time, staff has negotiated a scope of services to perform a boundary survey of the Page Field property (approximately 583 acres). The scope of work provides for a survey using the latest survey field data collection technology that will include recorded and unrecorded easement information and other documentation to represent many improvements and releases of property that have occurred since the prior survey was completed. Survey descriptions will be prepared for those areas lying within the City of Fort Myers that are not included as part of this rezoning effort, but will be used for later permitting efforts with the City of Fort Myers. Legal descriptions will also be provided for Page Field Medical Village and Page Field Commons. In addition to the re-zoning process, this survey data will also be used for future efforts related to the Page Field Master Plan Update process and other ongoing capital improvements, tenant projects, and Federal Aviation Administration deed of releases.

The term of the contract will run concurrent with the length of assigned projects/tasks or 2013 (with an option for a two-year renewal to 2015), whichever occurs last. Cooner & Associates will perform these services for a total of \$96,056, with 100% of these fees going to local firms and an estimated 10% Disadvantaged Business Enterprise goal. As with all Port Authority Development contracts, all Tasks are contingent on the availability of funds and the issuance of a written Task Authorization in accordance with the Board-approved contract, and as approved by Florida Department of Transportation and FAA as required. Only Tasks authorized to begin and subsequently performed can be billed by and paid to the Consultant.

