



# Charlotte County Airport Authority

## Punta Gorda Airport

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<b>Robert D. Hancik</b> Chair	<b>James W. Herston</b> Vice-Chair	<b>Kathleen Coppola</b> Secretary/ Treasurer	<b>Vanessa Oliver</b> Asst. Secretary/ Treasurer	<b>Paul Andrews</b> Commissioner	<b>James W. Parish</b> CEO	<b>Darol Carr</b> Authority Attorney
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Tuesday, March 22, 2022

9:00 A.M.

7375 Utilities Road, Building 313, Punta Gorda, FL

This meeting will be live-streamed and available for playback on the [Punta Gorda Airport's YouTube page](#).

*Note: Streaming service is for listening purposes only. Anyone wishing to submit written citizens input should email [Airport@FlyPGD.com](mailto:Airport@FlyPGD.com) with "Citizens Input" in the subject line prior to 8 AM the day of this meeting.*

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### WORKSHOP AGENDA

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1. **Call to Order:** Reminder to turn off your cell phones
2. **Invocation:** For those who wish to join, please rise for the invocation.
3. **Pledge of Allegiance**
4. **Roll Call**
5. **Citizen's Input:** Anyone wishing to address the Board during this portion should state their name for the record. Each citizen is allowed up to two minutes to express their opinion.
6. **Compatible Land Use** **Mr. Parish**
  - a. **Peter Kirsch, update on Land Use Regulations**
  - b. **Easements**
  - c. **FL Statue 333 Airport Zoning**
  - d. **Grant Assurances 21**
7. **Maintenance Building** **Mr. Parish**
  - a. **Size**
  - b. **Fleet Size**
  - c. **SF Bldg. Managed**
  - d. **SF Pavement Managed**
  - e. **Synergies of Ops/Maintenance Combo**
8. **CIP Update** **Mr. Parish**
  - a. **BIL Terminal**
  - b. **BIL Entitlement**
9. **Adjournment**

**CHARLOTTE COUNTY AIRPORT AUTHORITY**

**MINUTES OF WORKSHOP MEETING – MARCH 22, 2022 – 9:00 A.M.**

5    **1. Call to Order**

**2. Invocation**

                  Commissioner Herston gave the invocation.

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**3. Pledge of Allegiance**

**4. Roll Call**

15    **Present:** Chair Hancik; Commissioners Coppola, Herston, Andrews, and Oliver; Attorney Carr; CEO Parish; Mrs. McLaughlin; Mr. Duncan; Mr. Montoya; Mrs. Miller and Mr. Laroche. **Others present:** Councilmember Kuharski; Mr. Murray; Mr. Smith; Pat Niles; Mr. Kirsch (via video); Mr. Taylor; Mr. Goin; Mr. Sutphin and others from the private sector and a member of the press.

20    Chair Hancik started with a statement regarding a post zoning ordinance that was point of controversy related to Runway 4. As a result of an eight-minute distortion of facts, we’re having this Workshop on Compatible Land Use. The fabrication of a subsequent newspaper article of which a toxic “relationship and burning of bridges” was never stated by the Punta Gorda City Council but was made by a would be Airport Commissioner. My statement before City Council  
25    was to inform them that a zoning change from commercial to residential could have consequences for the city and the airport. We are in the process of trying to acquire an avigation easement and no demand was made that the city impose an avigation easement in their zoning process. Chair Hancik asked to have a clip played of his statement from the City Council meeting. This prompted a review of the February 16<sup>th</sup> Council meeting by an Airport Commissioner since the speakers were  
30    not on the published agenda. As Chairman it was my responsibility to protect the airport from incompatible land development, having the knowledge of legal obligations to do so, which have existed since the first day we accepted Federal Funds. There was a fabrication of “hostage holding” and threats of “eminent domain” never said. The minutes of the February 24<sup>th</sup> Board meeting unfortunately will reflect hostile statements and a personnel attack on the Chair. You are all  
35    probably aware now that the developer in this zoning case will execute an avigation easement when the zoning case is completed.

**5. Citizen’s Input**

**Mr. Goin of Gulf Contours** statement was not recorded due to technical difficulties.

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**Mr. Stan Smith:** I’d like to clarify I was at the meeting and asked to speak on aviation and airport issues. Mr. Hancik, Jerry O’Halloran and I spoke briefly to impart some of the 150 plus years of aviation and airport knowledge so that a good decision could be made. There was never any mention of imminent domain or holding companies’ hostage, which came up at the last Board  
45    meeting. I believe that good communication between the legislature, the city council, and the board of county commissioners here in the county, with good communication we can have a great working relationship. The people of Charlotte County have an excellent jewel at the airport. If we keep those communication lines open, we’ll have a much better relationship and there’s always room for improvement.

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5 **Pat Niles from Gateway Point in Punta Gorda:** This is regarding the airport noise. Asking as a voting resident and a better understanding of the process. There has been a revised contract and is there a way for a resident to get a copy of the revised contract that is between the developer and anyone who going to be new, and it had to do with the easement and a new buyer. I'm curious, is there any way or who could I see; I know you probably don't give comments to somebody asking a question, so I'll stay here after the meeting and if someone can come up and give me a good direction of where I can get a copy. I want to see how it's tied in with the easement and was that put in that new revised contract.

10 **6. Compatible Land Use:**

Chair Hancik commented on the compatible land and how may shed some light for the folks in the audience. Mr. Taylor who has a noise concern; I told him I would grant him a couple of minutes after the presentation on compatible land use because there could be some facts that may answer some of his questions. Mr. Parish commented the request for this workshop on compatible land use and the one person I know who deals with land use issues all over the United States and is an airport expert and our attorney on FAA matters is Peter Kirsch. I asked Mr. Kirsch if he could be present by video and give us an update on land use issues.

20 **Peter Kirsch (joined via video),** Mr. Kirsch commented he would give a quick introduction and then open to questions that may be more specific to the situation at Punta Gorda. The federal regulation of airport land was well established for many years, until the FAA reauthorization act of 2018. That statute significantly curtailed FAA regulation for issues in a way that in many respects fundamentally changes the calculus for airport sponsors multiple languages. Previously the FAA regulated any land use that appeared on the airport layout plan and airports were required by law to both depict all of the airport land on the airport layout item and to subject all that land to federal regulation. The law changed and the FAA's jurisdiction regulate airport land use is limited in respects, it's limited to the property that was purchased with AIP fund to property that was donated by the federal government at the portal under the surplus property act for property whose use significantly affects the safety and the efficiency of the airport. What this means is that so long as an airport receives fair market value in rent or in sale of property. If that property is not significantly effective or not published in the airport it can move forward with transactions without FAA approval. The obligation to maintain the airport layout plan remains that the airports must always keep that up to date, but the level of federal engagement has reduced significantly. The change in law has affected a great deal about how airports look at land use in around their airport and the ability to generate revenue. It's important to recognize the traditional areas of airport-related land use remain subject to considerable FAA regulations, including issues such as lease rates, rates and charges to charge users the term of leases. Mr. Parish commented on the concerns we're having is off airport. The Florida statute 333, talks about airport zoning as well as grant assurance 21, with the issue of navigation easements. It's been longstanding practice of the staff to try and get navigation easements on all zoning changes, from AG to residential or AG to commercial or commercial to residential. Could you speak on that for a little while? Mr. Kirsch commented on the description of the law and how it works. The law is that as airport sponsor, you are required to protect the approaches to your airport, the airspace fully approaching airport to the authority. If you were Charlotte County or if you were a city that has zoning authority, that power is obviously extensive, because you are a special purpose entity, your authority at consumption is limiting. Nevertheless, you are required to do whatever you can to protect what's approaching. So best practices, for example, ensuring that you have an avigation easement, ensuring that the county's zoning officials understand the importance of protecting the roads. Now helping county officials when it comes time for zoning matters, testifying, and providing your views on landing that all of

those are essential because anything in the range of land uses outside the airport that adversely affects your operations or your airspace could affect the viability of the airport. I appreciate that these issues can be controversial. The county is under separate set statutory obligations under Florida law to protect the approaches to the airport, but those are quite different than your obligations under your grand assurances to do whatever you can to protect against incompatible land use. Mr. Parish opened to Board questions. Commissioner Oliver asked if he could give some examples of incompatible land uses and the extent as to how far geographically, they would extend from the airport runways? Mr. Kirsch commented on the two different considerations in looking at the location. The first is noise, and most jurisdictions use a 65 decibel DNL contour as the area that must be protected against incompatible energy. Some airports, for example, Naples Municipal uses a 60 comfort, which is much greater area. That's a matter of the full precision, so that's to protect against incompatible noise. The second is to protect the approaches of the airport and there's no magic number here. But what airports need to do is to look at what's called the extended runway center line and look at a reasonable distance beyond the edge of the airport to make sure that those approaches are protected. Now let's talk about what's incompatible. The scale incompatible is development that's too high. That is, it violates the Part 77 obstructions. Those are extreme examples, but they include cell towers and things like that, particularly on the approach of the airport. The second and largest category are residential uses. Residential uses within the 65 DNL condor are incompatible with the area. For example, firing noise insulation in multifamily homes but prohibiting single family homes is common. The philosophy being will spend less time outdoors if they are in high rises or a multifamily home than if they are a single-family home. Homes are kind of a classic example. There are other examples, such as schools, churches, daycare, and any other areas where people will accumulate, where there will be big groups of people near the airport. A common one is soccer fields and play fields. Parks are often acceptable, but there's a real gray area there, whether parks attract a lot of people. Commissioner Oliver asked about airport protection and land use compatibility codes that local governments put into effect. Those are based off FAA guidelines, are they not? Mr. Kirsch responded they are generally, yes. Commissioner Oliver commented that is meant to protect airports. We're required to have them, or the counties and local governments are required to have them, but does that also protect the airport? Mr. Kirsch responded; it sure does. The basic principle here is that if the jurisdictions around the airport fully complied to Chapter 333 and Florida statutes, that will probably take care of almost all, maybe all your obligations as an airport sponsor biggest factor 333 is modeled on your grand assurance obligations to protect the area around the airport. Commissioner Oliver commented in this case, because the city of Punta Gorda and Charlotte County both have this airport protection overlay codes and don't have residential within our noise contour map region, should be safe. Mr. Kirsch responded, I want to look to make sure that the codes in the county and the city, in fact, do comply with these standards. They generally do, but I want to double check and if they do comply with the standard, yes, you are in good shape. There are some airports that take a more aggressive span on land use compatibility because they are growing. The airport to take the position if there is compatible land use a little further from the areas that are little less noisy. They often want to protect those areas from the program. That is a gradual increase of residential, not because it is legally prohibited, but because it's simply good practice when you already have vacant land that's compatible. Making it incompatible closer to the airport simply introduces a challenge when or if an airport grows. There are some examples of that, Raleigh Durham Airport, NC is the best example that was very aggressive for literally dozens of years, preventing residential anywhere near the airport because they believed that would not only protect the integrity of the approaches, but also prevent the inevitable political problems that come when homeowners realize that they live near an airport, but it's not legally required. Commissioner Oliver asked when it comes to easement, our government's allowed to require landowners to grant easements as a condition of granting permits

or developing their land. Mr. Kirsch responded, yes; and let me explain the value of this. First, in conjunction with a discretionary permit, for example, discretionary language authorization. The government can require avigation. Avigation easements are lovely for lawyers, and they're not much more valuable for anybody else. Here's the reason, avigation easement is a property right that says the airport has the right to over fly someone's property and they cannot sue the airport over noise or other impact of the aircraft. However, no avigation easement ever prohibited somebody from complaining. It never prohibited somebody from testifying in front of the city council and while avigation easements do, in fact provide valuable legal protections, they provide you almost no practical protection against the problems that come from incompatible language use. I'm not a big fan of avigation easements instead of compatible land use. Certainly, avigation easement in conjunction with new development that's right around the edges. That is legally permissible but unwise an avigation easement is very a good idea. Avigation easement to permit homes in your approach pattern or homes within your 65 DNL condor would be a very imperfect solution. Commissioner Oliver asked under Chapter 33.12, that's the Florida statute that deals with avigation easement specifically, it states that the political subdivision owning, and operating airport may acquire by purchase, grant or condemnation in the manner provided by Chapter 73, such avigation easements. Chapter 73 is the eminent domain statute, is it not? Mr. Kirsch responded, yes. Commissioner Oliver asked do we have the right to buy the navigation easement? Mr. Kirsch commented that Chapter 73 is not used very commonly, but here's the two most common ways are required. The first and most common is new development, and the local government requires an avigation easement be granted to approve a project. The second most common is airports that engage in sound insulation. They voluntarily insulate homes that are ready compatible in exchange for that free sound insulation. Homeowners are generally required an avigation easement to give it out of the little bit of the quid pro quo, it's the payment in exchange for the free sound insulation. That's generally where avigation easement come into play. The purchase for the condemnation of avigation easement is quite uncommon. Chair Hancik commented to make sure everybody is clear on this. The zoning authority, whether it be city or county, some type of a municipality can require as a part of a zoning change in avigation easement. Mr. Kirsch responded if someone is entitled to construct as a matter of right, the local government cannot require an avigation easement, but if a homeowner seeks a discretionary approval, then as part of that discretionary approval, the local government can require avigation easement. If the land is already zoned for residential and all you need is a building permit because the building permit is not considered to be discretionary, cannot put an avigation easement requirement on that building permit. On the other hand, if property was zoned for agricultural and a homeowner wants to rezone residential, that is a discretionary act, and the local government can ask to see and avigation easement as part of that approval. Commissioner Oliver asked they don't have to require the developer to grant an avigation easement, do they? If it's outside of the airport overlay district and outside of the noise condor map. Mr. Kirsch responded that's the key point it is outside the area covered by chapter 333 of the Florida code and outside the areas that are otherwise considered to be incompatible by Florida law then they are not required to demand an avigation easement. Commissioner Coppola asked if the builder who knows of the airplane traffic overhead have an obligation to his clients to inform them that there is an airport nearby and there may be noise or not? Mr. Kirsch responded that will be a matter of Florida law, generally in most cases I don't know specifically in Florida that obligation passes to the seller and real estate agent. In fact, many states there are actual forms that the board realtors use to make sure everybody gets the disclosure correctly. Mr. Parish asked if Mr. Kirsch spoke on the avigation easements on the Florida zoning and the grant assurances. There are a lot of requirements, a lot of legal ramifications for not doing things the airport hasn't in practice for many years. I look back at minutes in 2012 when Cheney brothers was under construction or under rezoning or zoning. The Board requested avigation easements from them or received an avigation easement from them. As

practice, this is requested on any incompatible land use which is consider residential, that is within the flight path. The approach patterns for our main runways 422 and 1533. This project was part of another project that was negotiated an easement with the developer, but that deal never happened because of the economic downturn in 2008. The airport was notified of this rezoning, the airport went ahead and requested the avigation easement of the new developer through their attorney and notified the city of our request. Mr. Taylor has spoken to staff about the noise that he is hearing, which plays into compatible land use. Chair Hancik has offered Mr. Taylor a few minutes to speak.

**Greg Taylor** - I'd like to thank Kaley Miller for asking me to attend this morning and I'd like to compliment the airport staff. They've spent some time with me and provided some feedback, and I do appreciate it. My hope in being here this morning is to provide just a little bit of my experience and see if you can help shine some light to understand what we're really in line for over the coming future. I live exactly three and a half miles from 1533 center line of the runaway. When a plane comes in at whatever hour it comes in, I can spout off a few because I'm a lite sleeper and I wake up from it. My back deck is on the Peace River and the planes come in between 900 and 1100ft. Some people say not 900ft. However, I did ask the airport to investigate about eight flights, and I was told at 900ft. The planes hit our area, as I understand it, basically the glide slope, et cetera, takes effect, and so there's not a limitation of 1600, et cetera. They're hitting the outer marker and they're coming down, not wanting to jar the passengers. I can tell you is that on my back deck it's quite low and the decibel readings run between 75 and 80 decibels. I recorded some and one as high as 88 decibels and some as high 70 decibels whether it's during dinner time or in an outdoor living format. It stops the conversation from family and kids and turns into noise and discussion of Airlines. I'm familiar with the noise corridors and because when we left Florida, I'm from Sarasota and Key West, and when I went to on assignment a few years ago to Las Vegas, and the first rental home that we had there was absolutely in the noise corridor. My children attended a school about 2 blocks off Eastern, and the noise is quite loud as you approach the airport. I purchased a home and was very specific to read the fine print of the easements, which are very standard and to make sure that it was well out of the past and certain elevations. I bought here ten years ago because we fly in and out several times a week. We use Punta Gorda airport frequently now, but we purposely looked at locations for water, airports, and noise. At the time when we looked there's a few websites such as noise quest that helps buyers and asks you questions. The runway of 1533, while it was existing, it in no way was an approach route to any significant degree because it dealt with smaller claims, and it only changed that when the additional apron was added that allowed commercial 380s to then utilize it. They could not use it prior. My question how did it change? Was it allowed to change without notification, without looking at residential as we're talking about this morning with Mr. Kirsch, but how does it change for older, more established neighborhoods, Deep Creek, and Sun Coast Development? I'm told by the airport It will be back to normal. You don't spend \$12 million, and it gets back to normal. It may get less, but it's not going back to normal. It is extremely disruptive. We're outside of the 65 D and L, but what does it mean when a plane comes down on its glide slope right there? And I've asked, is it possible to talk to Allegiant, Sun country, and FAA? Can they go any higher? Can they dip them? Can they do this? I would like to let you know that it is extremely disruptive and concerning. My question for the Board is how was it allowed? Why was it allowed? Because it materially changed the airport and what I fear is it's no longer a matter of Punta Gorda Isles, we're looking at some homes out there. Are they protected from noise? You got an old runway, you got an old airport, an old military airport, and you want to bring in big giant planes. Let's go add 600ft so that they can land. My question, beyond what I've already asked is, what is the right height, what is the right decibel that I should be comfortable with? I do appreciate your time. I appreciate the extension, but I would have shared my comments and then asked my questions. Thank you. Chair Hancik commented on workshop as an opportunity for us to have a

conversation among ourselves about a particular subject and ask questions of staff and of each other, because we normally can't do that as individuals because of the Sunshine Law. I'd like to open it up for any further discussion on the compatible land use subject among Board members and staff and maybe inherit an answer for our folks that have spoken. I think it's important that everybody understands what we did to 1533 as much as without doing 1533, it's reconstruction. Mr. Parish commented on our secondary runway was displaced on one end. It was 5200 ft. 5600ft. Distance was added to get to a minimum of 6000 ft and added 400ft displaced the other end of the runway. There is 6200 ft in one direction, 6000 ft and the other. That was part of the master plan process, which had multiple community meetings, as well as the environmental assessment that was done for the master plan and that's why it happened. As you all will recall, the environmental assessment took almost two years to complete. Chair Hancik commented on the percent usage of 422 versus 1533. Mr. Parish responded during the normal operations, Allegiant, Sun Country, Frontier, and Sky Bus all used 1533 on occasion, but it was less than 5% and it's generally when the winds were screaming down that runway. The FAA uses a wind coverage procedure to say how many runways you're allowed to have, how many runways they will pay to rehab. As part of the taxes that we pay the FAA, we have one and its 422. It has 98% wind coverage and is our primary runway. 1533 was only eligible because of the failure of 422. This is the last time it will be paid for with federal dollars. It'll be our money from here on out. The ILS (Instrument Landing System), which is the preferred approach. There are multiple reasons they're going to go back to 422. The pilots love pavement. You ask any pilot which runway he's going to take, he's going to ask which one is the longest one. Will 1533 stop being used? No, but it will stop being used as the preferred runway. Chair Hancik commented is 78% utilization on 422 is wrong: it's more like 98%. Mr. Parish commented it's in the high 90s. Commissioner Herston asked Mr. Parish as part of our master plan coverage by our consultant and the advertising that we did, could that have been the opportunity for Mr. Taylor to get involved? Mr. Parish responded that all these projects are discussed at our normal Board meetings. They're on our website, but the master plan and the EA is where the Board, staff and our consultants put together a 20-year plan. On year seven we'll start a new master plan in probably the next two - three years. They want you to look at it every eight to ten, and we're going to be right in that time frame. Commissioner Herston commented on the 98% wind coverage, that's the wind rose calculation? Mr. Parish responded that's the wind rose calculations is put the bottom of that sheet. The desire to have multiple meetings, but with Covid requirements and the FAA not traveling. Mrs. Miller responded she reached out to the Water's Edge RV Resort and Ventura Lakes and talked to those groups. Ben and I went and talked to the residents, and I reached out to the Deep Creek Association presidents and offered to come and speak. Vanessa helped with next door outreach as well as Facebook, and news media coverage to try to get the word out to folks that don't know what's going on and it's for 2022 and it will go back to how it was in 2021 once it reopens. I've been trying to do a lot of outreach in the community and added a button on the home page website you can see the information right there. The website I can keep updating it as new questions come in and concerns keep it updated and fresh. If you have any other opportunities for us to speak to neighborhoods, we'd be happy to go out and talk with them. Mr. Parish commented on the project is significantly ahead of schedule. There is an airport closure in September, and if things continue the project may be wrapped up shortly after that. I'm hoping that during the summer we don't have any Hurricanes, any tropical storms or torrential downpours that can significantly delay the project. Keep in mind, the natural groundwater is six inches below the surface. If there is a lot of rain, it makes working out there next to impossible. The work they're going to be doing is going to be outside of the runway itself. They'll be doing electrical and grading. Mr. Hancik commented on that this is a workshop, and the Board cannot make any decision during this workshop. However, if something comes out of discussion that a Board member wishes to have a decision on, that could be placed on a future board agenda for

action. Commissioner Oliver commented on Mr. Kirsch's presentation was helpful. I fully understand the airport's position in terms of wanting avigation easements. My point at the last meeting, though, was that we had not been briefed as a Board before our chair went and spoke to the Punta Gorda City Council on behalf of the Board. I had no idea that this was coming up, that this was an issue. We're the board, we need to be apprised when we're dealing with other governmental entities and requesting them to do things. I think that's important. If you're asking the developer to do something, that's fine. I don't have an issue with that. The developer didn't have an issue with it. It's when dealing with other governmental entities, and there is obviously some animosity between some members of this Board and the city of Punta Gorda. I think that we need to keep the lines of communication fully open. We need to communicate with them constantly. They're our neighbors. We must have good relationship with them. When one member of this Board goes out, you must be so careful. Anytime I go to speak to any group, the very first thing out of my mouth is I'm here as an individual, not as a commissioner. Very first thing before I introduce myself, that's the most important thing. Unless this board has authorized me to go out and speak to folks. The concern is that we had not been briefed, we had not voted, and became a lot of controversy out of this because of the request that was made. You must communicate with us. That's the most important thing. Commissioner Herston commented, didn't we vote on committees of who represented who at certain locations, and I thought we had authorized and voted in Mr. Hancik to attend those meetings and speak. Commissioner Oliver responded however, when he's speaking about something that we haven't voted on, that we haven't been apprised about the avigation easement. They're talking about this development that the Punta Gorda City Council was voting on whether to change zoning from commercial to residential, and we didn't take a position as a Board as to whether to support or oppose it, to stay out of it, to request a navigation easement. We didn't take a position. Chair Hancik commented let me continue with this and say this is a dead subject. I don't think we need to keep digging this hole, and I think you missed the point under Grant Assurances 21, it's our obligation as a Board and me as your chairman, having the knowledge of Grant Assurance 21 says that we try to protect this airport. Commissioner Oliver commented do you want to silence me because you don't agree with what I'm saying? The citizens of Charlotte County elected me just as they elected you. Chair Hancik commented you're saying that we need to communicate with each other and all that from the mayor. When Matthews some time ago suggested that we have a joint workshop together and we've reached out to each other and we're in the process of scheduling one sometime in the future, so that will improve any lack of communication that you see as a commissioner. Commissioner Oliver commented I want a commitment from you, Mr. Chair, that you won't go take a position on behalf of the Board without us having been apprised of the position and coming to a consensus. You're welcome to go to the city of Punta Gorda and say, this is my opinion as a citizen, I have not run this by the Board. Chair Hancik commented let's continue, please. Mr. Parish commented I know we can't vote on anything, but I'd like to get clarification from the Board. It has been standing procedure that we look at all zoning changes that are coming to us. I get a list from the county every month and a list from the city on annexations as part of Florida Statute 333. The attention I want to bring to the board for us to stop doing that and then bring every one of those to a board meeting, because what happens is we get a notification two weeks before the first hearing, and that's when we contact them, get the developer information, we send the avigation easement to the developer because that's the negotiation. The county asks us for the agreement, and we'll make it a recommendation of rezoning. The city has said they won't, and that's fine, but we are working. One, I think we need to keep the city informed on our process, and they've asked us to continue to send them all the information that we're sending the developer, or should I start looking at these and then calling emergency meetings? Chair Hancik commented in my opening remarks, the authority to go after avigation and protecting this airport has probably existed here since the day we took our first federal dollar. I know that's a

requirement because I've had decades of experience in this business. Number two, I think if we want to make people happy, we'll put an item on the agenda that will basically say anytime there's a zoning opportunity out there that the staff can move forward and notify whoever they want the Board and proceed if that works. Commissioner Andrews commented as far as putting the light on this, let our CEO do his job. If he can notify us by email, but he needs to be able to do his job. That's what we hired him. Commissioner Oliver commented I don't disagree. He must be able to do his job, but when that involves high level communications, involving of attorneys and letters being sent between local governments and us, that's an issue. How many of these have come up in 2022? Mr. Parish responded this is the only one. I met with a developer yesterday that is considering another rezoning. Commissioner Oliver asked how many have you done in 2021? Mr. Parish responded we did none in 2021, but we hear about them two weeks before. Commissioner Oliver commented send an email and then ask us if we need to vote on it, but I have no issue with you dealing with the developer. My concern is that it appeared that the airport was asking the city of Punta Gorda to make this a condition of the rezoning the aviation easement that we want, that it was a condition of that, and that deals with policy issues. That is not just ministerial, that is policy issue and needs to come before the Board. Commissioner Herston commented was the appearance basically caused by the newspaper, which we can't control? Is that where the cause was? Commissioner Oliver commented that she has not seen the documents that were sent to the city. I don't know what the airport communicated to the city specifically, so I can't comment on that. I know Mr. Hancik got up in front of the Punta Gorda City Council as the Chair and said, we have asked that you make this a condition of the zoning to paraphrase, we didn't know about it. Mr. Parish asked the Board to clarify, because the rezoning issue is one thing, the aviation easements is one thing. I'm in communication with the County and the City on issues. From the pavement on Piper Road to the extension and closure of Golf Course and Challenger, and the utilities are things that we're dealing with other government entities all the time. They're minor items on the agenda. I want clarification because I have a lot of staff that says, what did we do wrong? We did exactly what the Board has always asked us to do. I need clarification. There is no policy. There is a requirement. Where does that line stop? Where do I stop doing the day-to-day operations and bring it to the Board? I need clarification so we can move forward. Commissioner Oliver commented I would suggest that we set this as an agenda item so we can give that clarification and you can show us some examples of what you're talking about, and we can maybe set some parameters because I'm not clear on all the communication. I need to be aware so that I can vote and be fully informed. Commissioner Andrews commented the Board needs clarify policy, and that should be an agenda in the next meeting where our CEO can do the job without bogging things down.

## 7. Maintenance Building:

Mr. Parish reported as part of the ongoing development of the airport. Looking to redevelopment the existing Gulf Contours facility as a maintenance facility. It started multiple years ago when the airport negotiated a new lease with Gulf Contours, and Gulf Contours indicated that he did not want to stay past that. Then the airport extended the lease two more years, and now extended it or abated it one more year. The implication of kicking a tenant off the airport, I would like to move to a new facility. This location is the master plan indicated would be for two this one and another one on the south side of the airport. This facility, when Golf Course Boulevard is closed from Mooney forward, this would be potential airside. Golf Course Blvd will become part of our perimeter road at that point. The combination of operations and maintenance would allow for some synergies of shared conference rooms, and shared training facilities. The center for operations is looking at the terminal area planning. The building that Allegiant is currently housed in, is in the way of the baggage handling system as well as future development. Background information, in 2005, after Hurricane Charlie Maintenance moved into an abandoned

building after their building, which had been abandoned previously by mosquito control, blew away. The Gulf Contours building was built for a maintenance facility with DOT money. Gulf Contours is now a machine shop into this building and then did some extensions and some enclosures after their move into the bldg. In 2005, there were three maintenance personnel, today we have nine. Managed 257,000 sqft of bldg., today managed 626,000 sqft. Had 28 vehicles and now today have 84. Managed 4,782,000 sqft of pavement, today over 8,000,008 sqft pavement. The airport's grown and maintenance has not. I think it's fair that we consider this development as our future development. This is not necessarily the exact layout, this is preliminary. I do think this is the right location and I think we need to move forward now. Need a place for our fuel operation to continue. The fuel farm expands and the FBO moves into a new air center. The fuel trucks will be staging in the fuel farm parking lot. Moving ahead with the purchase of an 8x20 bldg. that'll house four to five people when they're coming back and getting their fuel loads, looking at flights to make sure when they need to be staged to refuel the aircraft. Our plan on the February meeting a year ago to house Gulf Contours facility. That has changed, so we're putting them in temporary facilities. It's the right location and I have done some research with a local developer. The Board approved a while back for us to build one spec building, and I said, let's look at a second spec building, a 75x150 building that could be separated into three units or one large unit on our property. This would cost about 1.8 million, that's excluding the site work, which I put a little bit of money in. Depending on the location, the site work may be with a 6.5% return, which is lower than the FAA request. That puts it at about 1045 sq ft. and monthly rate would be about \$10,000. If that is something that the tenant would agree to for a multi-year lease and would need a five-year commitment. Then we can work on that while Gulf Contour stays in place. The Board has not authorized me to move forward with the design. I'm a little hesitant on building anything right now because construction prices are through the roof. This is not the best time to go vertical and currently have almost \$30 million of construction underway. I could do this but would need Board's approval on how we proceed. I personally think we have told staff over and over they're going to move out of a building that if any of you have not been to it, I recommend you go to it. It is not a great building, and it is very small for what they're doing. I commend our maintenance team for being able to operate as well as they do out of those facilities. Chair Hancik asked where does Gulf Contours cut off? Mr. Parish responded if Gulf Contours is to stay in that location permanently, I need to make those modifications to the site to keep it from encroaching into the fuel farm and allow them to continue their day-to-day operations. This would allow truck traffic around the building, would allow parking to continue, and allow our fuel trucks to park without having to back in, which is against our standard operating procedure without two people and give them a small temporary office. Chair Hancik commented I wasn't clear on my question where does Gulf Course Boulevard cut off? Mr. Parish responded it's going to stop at Mooney. Mooney Ave will remain public access. This is a conceptual layout. I don't want to pay engineers to do final designs for something that's not approved. There will be automated access gates. Is that driveway going to be 50ft further down the road and more parking? I don't know. Started communicating with the county on the closure of Gulf Course Blvd and the extension of Challenger. Part of the master plan indicated that Golf Course needed to be relocated because it's within the RPZ. I feel that spending a million and a half dollars to relocate a road that will still be in the RPZ versus extending Challenger out to Piper, which we want all the traffic on Piper anyway, to stay out of the residential area. The county submitted a grant out years ago to do that, it was never processed by the state economic development. Starting communications with the county on what would be an abandonment of the right of way and an extension of Challenger. Challenger is a county maintained and owned road on land that was donated by the airport. Commissioner Herston asked Challenger Boulevard was a Tiger grant? Mr. Parish responded no; this would be part of our AIP grants. The AIP will pay

to take the road out of the RPZ. This is a better solution. The FAA agreed. This is a better solution. Chair Hancik commented at the next Board meeting you want a Board motion to go ahead? Mr. Parish commented I would like to bring back the original proposal to engage a design team to build or design a new maintenance operations facility, and at the same time look at options. A separate item would be for options for a spec building. Chair Hancik commented at the last board meeting there was hesitancy on the staff's part to bring that to the board because you were handicapped, not knowing what the eventual future of Mr. Goin's business? Mr. Parish responded it would be responsible for us to build a \$2 million facility without a long-term lease. I did look at rental rates, and if the FAA is listening, we're at fair market value. We're slightly below fair market value at \$10.45 a square foot is about 50% less than our neighbors in the industrial park in their 40,000 square foot building. It is compatible with some places in the Immokalee and North Fort Myers. I think we can get FAA approval for it, especially if we put it on industrial Parkland. Need to have negotiated leases in place before we start construction. The larger spec building is going out for RFP on that because of some conversations that we've had at the Board level. If the Board is going to do it, now would be the time to apply some of our capital to speculative space, which has always been one of my goals. The development of the roads in the industrial park, the infrastructure in place for the water, sewer, all using other people's funding. Now the opportunity exists for us to start building it out. Commissioner Oliver asked do we have long term leases for the first spec building, and do we have those in place? Mr. Parish responded we do not, because we don't have a design in place. This would be a custom built. If we went out and built something like this, I would want to have a smaller building with a 40,000 square foot. This building could be separated into three smaller units. This has been a very difficult building. That's one of the reasons we built this inside of it to lease out over the years. One of the problems is the bay height is way too low. Chair Hancik commented you'll be asking us to go forward with the airfield maintenance building at the next board meeting, irrespective of what's going on with Golf Contours? Mr. Parish commented irrespective of Golf Contours, whether that stays a landside function or gets incorporated into the airside. The airport is short on space. The only airport storage space is in those ten buildings that are in the old maintenance facility. Chair Hancik commented any other questions on this subject? moving on to the CIP update.

#### 8. CIP Update:

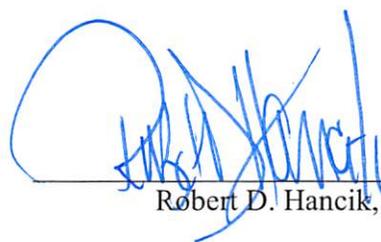
The FAA has been fast and furious with their funding from the Bipartisan Infrastructure bill and will need to move projects around to meet their deadlines. Here's an update on what's going on. The taxiway Delta rehab, the design has already been approved and moving forward. Moved from a rehab to a reconstruction. Exact same reason as runway 422. The base has failed running in some areas, and repairs almost two inches deep. The new taxiway from the GA apron to taxiway Alpha, which is the extension of what is now Echo, but it'll be offset to stay out of the RPZ. That was in 2023. We're moving that design up to 2022 so we can construct it in 2023 based on the new Bipartisan Infrastructure bill that's entitled to airports. The airport will get 4.3 million a year for the next five years, 90% money. Looking to put the first \$6.5 million of that into taxiway from the GA. Moving perimeter road forward. Part of that is to get fuel truck traffic to the new GA facility without crossing a runway. There're two phases, one is \$200,000, a very small phase, the other is \$3.1 million. Both are from the infrastructure bill, as Board previously approved and the terminal area plan to look at the terminal parking and jet parking around the terminal. Have \$1.4 million in the terminal request, this is separate from the other request for entitlement money. Small hub airports like us get 20%, large hubs get 70%, and medium hubs get 10%. I don't know how they came up with those numbers. If you divide by the amount of money, we should get about \$18 million, the airport is asking for a little over \$35 million. This is the two phases of

terminal expansion that will happen if everything falls into place in 2024 and 2025. A new ARF vehicle is needed, because every 15 years you need to replace. That's normal entitlement and is in master plan. Realign taxiway foxtrot in the master plan, there's taxiway F and that ramp was designed for C130. It curved around the old CAP building. Going to straighten that out since the CAP building blew away in 2004. This will allow us to expand the ramp and going to do that with the Bipartisan Infrastructure money. There are two more parts of the thermal expansion, \$14 million and a \$4.5 million, that will wind down the Bipartisan Infrastructure bill terminal money. They asked us for a five yr. plan and gave us two weeks to put together. Fortunately, all this stuff was already in the master plan and moved it around to meet their funding. I wanted to give you an update as it wasn't discussed and the FAA required it, but nothing has physically changed. The dates have been adjusted. Chair Hancik asked about the Air Center. Mr. Parish responded in two weeks for the final walk through and we'll be closing that project out. Negotiating with a contractor on repaving 927 as part of the project. I will probably delay the opening of the ramp. Working on doing a change order with Ajax, and we'd like to get staff over there for a few weeks, get all the bugs worked out. No move in date set. Chair Hancik asked for an update on hanger construction, the T's, the 60 X 60s and the 50 X 50s. Mr. Parish commented the schedule is in place, they're currently getting their steel. We've sent out notices to all the first people on the 60x60 list and are all taken. The 24 T Hangers have been sent out and awaiting responses from the first 24. The 50x50s should be sending out. The change order will be brought to the Board next month. Chair Hancik commented on the mention about Hangers looking 100x100 or 100x120s on the north side. Mr. Parish commented Yeah, absolutely. Chair Hancik commented on the people probably aren't aware of it was carried in the newspaper about the grant that was awarded through the efforts of our representative, Michael Grant for the AMP program. Mr. Parish commented currently that is in the budget. Unless the government align items it out. Watching the Florida tax carefully to see if it ends up on their Turkey list. They have not published the 2022 list yet. Our last grant was \$1.2 million access to that area, was on their list and got approved. I met with CTC yesterday and we're going to jointly go out and they're going to have to be very involved. Based on construction costs, \$3.5 million is not going to build their facility. Looking at financing the difference ourselves and including the rent. I think we're going to build with Board approval, one, maybe two, or three of these 100x120s and they would be the fourth building in that row. I have letters of intent from multiple users for large hangers for them to either build themselves. I think we can get some economy of scale if we build multiple units. Chair Hancik asked if there's opportunity for individuals of corporations to lease the ground and build their own building if they meet our specs. Mr. Parish commented yes; building out that area is going to be dependent on future MRO Development. I will be honest I'm not going to hold up development for a third party that hasn't committed. There is a lot of interest in the AVX area, and I think not only hangar development is going to boom in that area, but also other development on the land side or the other side of the road. Chair Hancik asked about the hangers having separate metering per unit, because I don't think that incorporates a design. Mr. Parish commented the 60x60s will be individually metered. The T's on the 50x50s will not because they're just storage hangers. ADO and EDP is working on a joint meeting with the county, city, and the airport. Commissioner Herston asked are industrial land the 80 acres, where's that deal? Mr. Parish responded it's in my court. I'll get some update to you shortly. Chair Hancik commented as we look at a future master plan that our capacity is limited on the site for the future, but when you look at the boundaries of the airport to the east, we look to continue to acquire real estate to the east for somebody 20 or 30 years from now when crazy things could happen? Mr. Parish responded watching everything along Grove, I would recommend that if those parcels become available, to look at purchasing them. Chair Hancik asked if anybody had any questions? Mr. Goin asked for a quick overview of the initial discussion, he couldn't hear it.

Chair Hancik responded as I understand it, the staff is going to come back and ask for authority to proceed with the design of an airfield maintenance facility replace the current one. That's independent of the current situation with Golf Contours. Mr. Goin asked for the status of Golf Contours? Chair Hancik responded there's no change. Mr. Goin responded if you're going to do a maintenance building somewhere else, does this need for Gulf Contours to vacate? Chair Hancik responded No: Mr. Parish is saying if you're looking at building a replacement building for you, would require a long-term lease, and the lease is going to be somewhere \$11 today's dollars. Mr. Parish responded It would be 75x150. Mr. Goin asked if you're considering this building and we're trying to find an alternative, we would certainly like to avail ourselves of a building here for obvious reasons, but now we negotiate a lease in DeSoto county with no assurances that we've got the possibility of moving on the grounds here. Where does it leave us? Chair Hancik commented the effort for the airfield maintenance building is independent of the current situation with Golf Contours. The staff is looking at a spec building to be built, but you're probably talking a couple of years away. Mr. Parish commented if we could negotiate a lease, that would include staying in the existing building until such time that the new building is done, that would be part of the lease, then the lease would be brought to the board for final approval. Mr. Goin commented I wish somebody would have come to us, but we would very much like to be involved in something like that. Mr. Hancik responded that possibility just arose today in this workshop. Mr. Goin commented I appreciate it, but I would like to continue this conversation so that we kind of know what we're looking at down the road. Chair Hancik commented that's going to take a Board action to change the current situation. Mr. Parish commented I'm going to have one of our local engineers do a diagram of similar what we would propose and bring that to the board next meeting. Commissioner Herston commented a new building for Mr. Goin, if he would negotiate a lease, why wouldn't we put him on the other side of the street and put our maintenance facility where his building is located? Mr. Parish commented as the fuel farm continues to expand, that would have been a great location for maintenance to grow, but ultimately, we've always known we're going to need a maintenance facility and I think with the development of the air center with Allegiant and Sun Country and potentially other commercial developers to commercial aviation users fueling we must separate those two and that gives us that opportunity. The fuelers are now going to be in an 8x20 building waiting for their next loads. They need to be in a larger building and need a shipping location for all the stuff coming to the airport. They receive two or three shipments a week. Now getting ten a day and we don't have a dock high building where we can unload supplies. Chair Hancik commented you really should consider a separate location for Gulf Contours and fueling farm. Mr. Parish commented it should be secured based on TSA and FAA. The recommendation at some point in time is Gulf Contours building must go away. It either must be separated out or it needs to go away. My solution would be to build a spec building.

**9. Adjournment**

The Meeting adjourned at 10:41 a.m.



Robert D. Hancik, Chair

  
 Kathleen Coppola, Secretary/Treasurer