



## **Minutes for August 28, 2023 Board Meeting**

08/28/2023 | 1:00 PM

### **Attendees Board:**

Carlos Beruff; Jesse Biter; Doug Holder; Kristin Incrocci; Jeff Jackson; Robert Spencer

### **Attendees Staff:**

Fredrick Piccolo; Kent Bontrager; Pamela Kantor; Mark Stuckey; Zach Buffington, for Dan Bailey, Airport Counsel; Dori Guzman

## **Agenda**

### **Item 1. Call to Order, Invocation, and Pledge to Flag**

Chairman Jackson called the meeting to order at 1:03 p.m., and Commissioner Holder gave the invocation and led the pledge of allegiance to the flag.

### **Item 2. Introduction of New Employees**

Pamela Kantor introduced three new employees and noted 16 employees had been hired from May to July 2023.

### **Item 3. Approval of Minutes of Board Meeting of May 22, 2023**

The Board unanimously approved the minutes of the Regular Meeting of May 22, 2023.

### **Item 4. Public Comments - Items on the Agenda**

There were no public comments regarding items on the agenda.

### **Item 5. Items Needing Action**

#### **Item 5.1 Agreement for Sign Easement “Welcome to Manatee” Sign**

A Sign Easement Agreement with Manatee County will allow the County to replace and maintain a “Welcome to Manatee County” sign on airport property, and will include necessary infrastructure, landscaping, irrigation, and other related improvements, at the County’s cost and expense. This agreement supplants a 2004 agreement with the County.

**MOTION:** Commissioner Spencer moved to approve the Agreement for Sign Easement as presented. Commissioner Beruff seconded. **MOTION PASSED UNANIMOUSLY (6-0).**

**Item 5.2 Utility Easement to Manatee County for Vacation of Segment of Suwanee Avenue**

The Authority has petitioned Manatee County for vacation of a 150-foot segment of Suwanee Ave, an unimproved east-west right of way that enters the airport from U.S. 41 and terminates near the AOA perimeter fence. It consists of 0.275 acres and is approximately 80 feet in width. The right of way is for stormwater retention and access.

**MOTION:** Commissioner Beruff moved to approve the Utility Easement to Manatee County for Vacation of Segment of Suwanee Avenue. Commissioner Spencer seconded. **MOTION PASSED UNANIMOUSLY (6-0).**

**Item 5.3 Third Amendment to Lease and Concession Agreement – Host Int'l Inc.**

Staff is recommending approval of the proposed Third Amendment to the Concession Agreement with Host, to extend the term of the existing concession agreement through August 31, 2024, with a month-to-month tenancy thereafter. This amendment includes the following increases in percentage payments: 13% for Starbucks branded food/beverages; 14% for all other food and non-alcoholic beverages; 17% for alcoholic beverages and general merchandise.

**MOTION:** Commissioner Beruff moved to approve the Third Amendment to Lease and Concession Agreement with Host Int'l as presented. Commissioner Holder seconded. **MOTION PASSED UNANIMOUSLY (6-0).**

**Item 5.4 Second Amendment to Lease and Concession Agreement – Paradies Shell Factory III, LLC**

Staff is recommending approval of the proposed Second Amendment to the Lease and Concession Agreement with Paradies Shell Factory III, LLC, to extend the term of the existing agreement through August 31, 2024, with a month-to-month tenancy thereafter. This amendment also includes the following increases in percentage payments: 17% of gross revenues on general merchandise; 14% of gross revenues on prepared food and beverages; and 13% on Dunkin branded food and beverages.

**MOTION:** Commissioner Holder moved to approve the Second Amendment to Lease and Concession Agreement with Paradies Shell Factory III, LLC as presented. Commissioner Beruff seconded. **MOTION PASSED UNANIMOUSLY (6-0).**

**Item 5.5 Amendment to SMAA Purchasing Policy**

Staff has reviewed existing purchasing policies and management directives and recommends the following changes to bring the Authority in line with

current state statutes: require minimum of three price quotes for purchases between \$65,000-\$250,000 and publicly notice competitive solicitations for all purchases requiring board approval that are \$250,00 or above; increase President/CEO approval level from \$150,000 to \$250,000; increase from \$65,000 to \$325,000 the need to post purchases on Authority website; and raise from \$325,000 to \$500,000 the need for purchases to be listed on the board agenda as a separate item.

MOTION: Commissioner Beruff moved to approve the revised purchasing policy and management directive as presented. Commissioner Biter seconded.

**MOTION PASSED UNANIMOUSLY (6-0).**

**Item 5.6 Increase Contract Scope for Terminal Expansion Project with Gresham Smith**

Staff has determined the need for a new freight elevator and egress stairs on Concourse B for movement of concession products, plus a new electrical room for concession spaces. This project amendment to the Gresham Smith contract will include design, permitting, bidding coordination with the Project CMAR, and construction phase services.

**MOTION:** Commissioner Beruff motioned to approve the increase in contract scope for terminal expansion in a negotiated amount not to exceed \$174,447.00 with a 10% contingency for a total budget of \$190,792.00. Commissioner Biter seconded. **MOTION PASSED UNANIMOUSLY (6-0).**

**Item 5.7 Time Performance Incentive Clause for Terminal Expansion Project**

At the request of the Board, staff prepared a Time Performance Incentive Clause to be added to the DeAngelis Diamond-Magnum Builders GMP Packages 1 through 5 of the Terminal Expansion Project.

**MOTION:** Commissioner Beruff motioned to approve the Time Performance Incentive Clause, amended to include only the following dates for incentives: substantial completion before November 23, 2024 for incentive of \$475,000; and substantial completion before December 23, 2024 for incentive of \$375,000. Commissioner Holder seconded. **MOTION PASSED UNANIMOUSLY (6-0).**

**Item 5.8 Terminal Expansion Builders Risk Insurance – Ace American Insurance Company (Chubb Limited)**

Staff seeks ratification of the purchase of Builders Risk Insurance Coverage applicable to the terminal building expansion project. Coverage was secured with ACE American Insurance Company (Chubb Limited) for the full construction term for a premium of \$395,105.

**MOTION:** Commissioner Bruff motioned to ratify the purchase of Builders Risk Insurance Coverage as presented. Commissioner Holder seconded. **MOTION PASSED UNANIMOUSLY (6-0).**

**Item 5.9 Resolution 2023-08 FEMA 404 Hazard Mitigation Grant**

Staff is recommending the Authority adopt the Sarasota County Unified Local Mitigation Strategy in order to be eligible for certain mitigation grants. If awarded, the grant would result in enhancement of the terminal roof damaged by Hurricane Ian in September 2022, and upgrade three additional sections of the roof. The grant would pay 75% of the expected \$2+ million cost of the project.

**MOTION:** Commissioner Beruff moved to approve Resolution 2023-08 in support of the Sarasota County Unified Local Mitigation Strategy, and to submit a grant application for funds to enhance terminal roofing. Commissioner Holder seconded. **MOTION PASSED UNANIMOUSLY (6-0).**

**Item 5.10 Set Public Hearing for Revisions to the Minimum Standards for Aeronautical Activities**

President Piccolo encouraged to Board to review the proposed changes to the Minimum Standard for Aeronautical Activities.

**MOTION:** Commissioner Spencer moved to set the public hearing for revisions to the Minimum Standards for Aeronautical Activities for the September 25, 2023 Regular Board Meeting. Commissioner Holder seconded. **MOTION PASSED UNANIMOUSLY (6-0).**

**Item 5.11 Set Public Hearing for Resolution 2023-06 Adoption of FY 2024 Budget**

**MOTION:** Commissioner Beruff moved to set the public hearing for Resolution 2023-06 Adoption of Fiscal Year 2024 Budget for the September 25, 2023 Regular Board Meeting. Commissioner Spencer seconded. **MOTION PASSED UNANIMOUSLY (6-0).**

**Item 6. Items Needing Action - Over \$500,000 Threshold**

**Item 6.1 Increase Contract Scope for the Terminal Expansion Project with DeAngelis Diamond-Magnum**

Staff requests authorization to approve an increase in contract scope for the terminal expansion project to address the MOA by Allegiant Airlines to expand into the entire new terminal, security checkpoint adjustments required by the Transportation Security Administration, and added changes required by the Authority Having Jurisdiction. These change orders result in an increase of \$2,884,456.09 for revised Guaranteed Maximum Price for Work Packages 1

through 5 of \$97,884,188.09. Up to 95% of costs are eligible for FDOT and FAA funding.

**MOTION:** Commissioner Beruff motioned to approve Guaranteed Maximum Price with DeAngelis Diamond-Magnum by \$2,884,456.09 as presented. Commissioner Biter seconded. **MOTION PASSED UNANIMOUSLY (6-0).**

**Item 7. Department Reports**

- 7.1 Financial Statements
- 7.2 Investment Portfolio
- 7.3 Finance & Administration
- 7.4 Real Estate Development & Properties
- 7.5 ARFF, Operations & Police
- 7.6 Development/Community Relations & Activity Report
- 7.7 Engineering, Planning & Facilities
- 7.8 Internal Audit & Investment Compliance
- 7.9 Information Technology

**Item 8. Attorney Presentations**

There were no attorney presentations.

**Item 9. Old/New Business**

There was no old/new business.

**Item 10. Public Comments - Items Not on the Agenda**

There were no public comments regarding items not on the agenda.

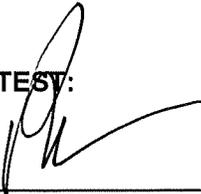
**Item 11. Comments by Commissioners**

There were no comments by the Commissioners.

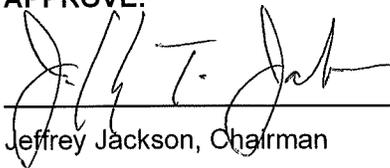
**Item 12. Adjournment**

The meeting was adjourned at 1.24 p.m.

**ATTEST:**

  
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Robert Spencer, Secretary

**APPROVE:**

  
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Jeffrey Jackson, Chairman