Thursday, February 15, 2024
Naples Airport Authority: Regular Meeting Minutes

The meeting was called to order by Chair Ruppert at 8:30 a.m. in the Council Chambers at City Hall. Chair Ruppert announced that he had eye surgery and may have to wear sunglasses during the meeting.

A. ROLL CALL

Present were Chair Ruppert, Vice Chair Cuddihy, Commissioner Dustin, Commissioner Cavanaugh and Commissioner Burns.

Staff and Authority Counsel present were Mr. Owens, Mr. Rozansky, Mr. Lobb, Mr. Keith, Mr. Gray, Mr. Brown, Ms. Zadorecky, Ms. King, Mr. Warriner, Ms. Wiggins, Mr. Burch, Ms. Sarcona, Mr. Herman, Ms. Acosta and Ms. Menard.

Chair Ruppert shared an official statement of the Naples Airport Authority regarding the February 9th aircraft accident on I-75 in Naples. He extended heartfelt condolences to the families of Captain Edward Daniel Murphy of Oakland Park, Fla., and Second in Command Frederick Hofmann of Pompano Beach, Fla., who perished in the tragic accident. He recognized Crew Member Sydney Ann Bosmans of Jupiter, Florida through her heroic efforts to save the lives of the two passengers and many more on the ground.

A Moment of Silence was held, honoring the victims of this tragic accident.

Chair Ruppert expressed his gratefulness for the air traffic controllers and first responders who acted promptly when the pilots reported an emergency as well as to the Collier County Sheriff's Office, Collier EMS, City of Marco Island Fire Rescue, Greater Naples Fire Rescue District, Naples Airport's Aircraft Rescue and Firefighters in partnership with the City of Naples Fire Department and North Collier Fire Rescue District for arriving so quickly on the scene.

Chair Ruppert stated that the National Transportation Safety Board (NTSB) typically issues a preliminary report in 30 days, but a final report can take much longer. He asked that all inquiries be directed to the NTSB website at https://www.ntsb.gov/about/Pages/contact.aspx.

This is believed to be the first accident by a jet aircraft using Naples Airport, resulting in fatalities. Chair Ruppert stated that the NAA will continue to invest in industry-leading safety features for the benefit of our community.

B. PLEDGE OF ALLEGIANCE

Chair Ruppert led the Pledge of Allegiance.

C. AGENDA

Mr. Rozansky provided the following revisions:

- Revised Agenda – A new item was added under New Business, Item 3, Florida House Bill 1643 and Senate Bill 854 – Private Aircraft Landing Requirements. A briefing paper was provided.

- Minutes of the January 18, 2024, Regular Meeting – On page 5, under Presentation and Time Certain Items, Item 2, Airport Exploratory Study Kickoff, after the last paragraph, three paragraphs were provided for additional context. On page 10, under Noise, Item 3, Update on Flight Procedures Design, clarification was provided to the third paragraph, and the fifth paragraph was added.

- Under Noise, Item 2, Noise Report, page 3, the third bullet under the Curfew Violator Outreach section was updated to show that the meeting between the Chair and RexAir occurred in October 2023, not in January 2024. Also, on pages 4 and 5, the second bullet in the chart legend was updated to change "No Contact Info" to "No Phone Number."

Printed copies of the revisions were distributed in advance and will be included in the final packet.

D. MINUTES

1. January 18, 2024, Regular Meeting Minutes

Commissioner Cavanaugh moved approval of the January 18, 2024, Regular Meeting minutes, as amended. Vice Chair Cuddihy seconded. The motion passed unanimously 5-0.

E. PRESENTATIONS AND TIME CERTAIN ITEMS

1. Employee of the Quarter

Chair Ruppert announced that for the second quarter of FY 2024, the Naples Airport Authority Employee of the Quarter was Mr. Timothy Carls, a Line Technician. Unfortunately, Tim passed away on January 14, 2024. Mr. Carls had been with the NAA for less than a year and had made a big impact on our team through the demonstration of his leadership and dedication. He always had a smile and showed up with a great attitude. Everyone looked forward to working with Mr. Carls, and he will be dearly missed. Chair Ruppert stated that Mr. Carls was deeply committed to his wife, Renee, and she will benefit from this recognition.

Chair Ruppert asked everyone to join him for a Moment of Silence in Mr. Carl's honor.

F. PUBLIC COMMENTS ON GENERAL TOPICS NOT ON THE CURRENT AGENDA

Chair Ruppert invited Ms. Mary Tatigian, Quiet Florida, to the podium. Ms. Tatigian, 4360 7th Avenue Southwest, Naples, said that she has been a resident of Naples for 40 years and a registered nurse for 30 years. She stated her residence is five to six miles northeast of the airport, and her home is located in the flight path of Runway 5-23, which she understood was used 85 percent of the time. She said she started Quiet Florida three years ago because of the incessant air and noise pollution. She said she appreciated the recent response received from Commissioner Cavanaugh and Mr. Rozansky regarding her correspondence regarding health hazards of chronic noise and air pollution from aircraft. She expressed concern regarding the health risks associated with air and noise pollution. She requested the NAA's assistance to move forward on the needs of the community.

G. NOISE

1. Noise Compatibility Committee Update

Vice Chair Cuddihy reported that the Noise Compatibility Committee (NCC) last met on October 26, 2023, and she reported on that meeting at the November 2023 Regular Board Meeting. She said the next meeting of the NCC is scheduled for February 29, 2024, at 9:00 a.m. in the Airport Office Building.

She announced that the term of the NCC member representing the Southeast Quadrant will expire at the end of March. The incumbent member is eligible to reapply. Applications are due March 4, 2024. Applicants will be interviewed, and this Board will make selections during the March 21, 2024, Board meeting.

Public outreach and engagement are critical to the NAA's efforts to engage with the community. Ms. Robin King, Director of Community Relations and Communications will be working with the Board, NCC members, and other community leaders to schedule meetings and presentations with key stakeholders. Anyone interested in scheduling a meeting, presentation, or airport tour should contact her at (239) 643-0733 or at rking@flynaples.com, and visit the website at www.flynaples.com to join the subscriber list for airport updates.

2. Noise Report

Ms. King presented the Noise Report. She announced that the tenant luncheon had been rescheduled to March.

Ms. King stated that the NAA Noise Abatement Specialist continues reaching out to flight schools throughout southern Florida. He has contacted more than 350 schools, and postcards are being developed to distribute to the flight schools. Staff has learned that if these materials are provided to the flight schools, they will further promote the message about NAA's Fly Safe, Fly Quiet Program.

Representatives from the National Business Aviation Association (NBAA) visited Naples Airport, where they were impressed with the messaging on the coffee machines, as well as printed materials placed throughout the lobby promoting the Fly Safe, Fly Quiet program.

Ms. King reported that during the past month, over 50% of the noise comments were received from one household.

Commissioner Burns suggested that the Noise Report be displayed on the video monitors during presentation of this report.

Chair Ruppert recognized RexAir for making significant progress toward taking actions that are in the community's best interest without compromising their own operation. He noted that there has been a 90 percent reduction in their curfew activity.

Commissioner Burns said during the communications and correspondence section of the meeting that he planned to bring up Eileen Lowry's e-mail dated January 17, 2024.

Mr. Rozansky noted that staff had contacted the citizen who submitted multiple comments in the past month, and she expressed interest in having a noise monitor near her home. As requested, the NAA staff has agreed to place a monitor and looks forward to obtaining useful data.

H. CONSENT AGENDA

1. **Resolution No. 2024-2, Adopting the Statewide Mutual Aid Agreement and State of Florida Division of Emergency Management Statewide Mutual Aid Agreement**

2. **Sole Source Agreement with Frequentis USA, Inc. for Air Traffic Control Tower Equipment in an Amount Not to Exceed $141,447**

3. **Security Improvements Project Phase II, AVCON, Inc. Task Order No. 3 in an Amount Not to Exceed $170,334**

Commissioner Dustin moved Board approval of the Consent Agenda items. Vice Chair Cuddihy seconded. The motion passed unanimously 5-0.

I. ACTION ITEMS (Public comments accepted for each item; 5-minute limit)

1. **Task Order Amendment with SchenkelShultz Inc. for North Road Terminal Renovation Services in an Amount Not to Exceed $91,113**

Mr. Justin Lobb, Deputy Director of Aviation, presented a request for Board approval of a task order amendment with SchenkelShultz Architecture for North Road Terminal (NRT) renovation services in an amount not to exceed $91,113.

Mr. Lobb said that a study was commissioned last year to analyze several alternatives regarding the future of the NRT. The current terminal is outdated and has not seen any updates since it was constructed in the 1980's. In August, the Board agreed to proceed with design plans for the NRT's limited interior and exterior renovations. Subsequently, the design phase of the NRT project was assigned to SchenkelSchultz, under the NAA's fixed term, on-call architectural consultant agreement as Task Order 2, which was approved by the Executive Director on September 25, 2023. Mr. Lobb said the proposed improvements do not expand the square footage or the uses of the facility. He also noted that the building is home to a rental car agency that serves the community, not just the airport.

The current task order with SchenkelSchultz was approved under the Executive Director's authority in the amount of $98,475. If this task order amendment is approved, the total design phase cost will increase to $189,588. Funding is available in the FY 24 Capital budget.

Mr. Lobb introduced Ms. Natalie White of SchenkelSchultz, who outlined the additional items and gave an overview of the proposed changes, the project schedule and the budget.

Ms. White stated that a couple of design items have been added to benefit the renovation project. She shared renderings of the NRT before and after renovations. She explained the design development process for the exterior and interior of the structure, incorporating a coastal feel. She said in working with the airport staff, they have created a design to make the interior more inviting. A new vestibule will be added to the airside entry. The project is in design development right now and at approximately 60 percent. She said that Suffolk Construction will be estimating the costs

for construction once the design development phase is completed. Ms. White reviewed the timeline from design development to starting construction. She said they are scheduled to meet with the City of Naples Design Review Board on April 24th.

Commissioner Burns asked how much additional construction would cost based on the design changes. He also asked about the 50 percent rule. Ms. White said the budget numbers are not available yet; the 50% for below FEMA is based on the appraisal of the building, and the project needs to be under $2.6 million. She noted that the finishes are more expensive, mostly from the additional storefront and vestibule that have been proposed. Commissioner Burns was pleased with the design. He asked Mr. Rozansky if this project would be presented before the Board again. Mr. Rozansky said yes, any dollar amount above his spending authority will be presented to the Board for consideration. Commissioner Burns asked who the primary tenant was at the NRT. Mr. Rozansky said that on the aeronautical side, NetJets operates on a month-to-month basis; the museum has a no-rent lease and the rental car agency pays rent and facility fees.

Vice Chair Cuddihy was pleased with the changes.

Commissioner Dustin moved Board approval for the Executive Director to execute Task Order 2, Amendment 1, with SchenkelSchultz in the amount of $82,830.00 for additional design, bidding and permitting phase services, plus 10% contingency for a total not to exceed cost of $91,113.00. Vice Chair Cuddihy seconded. The motion passed unanimously 5-0.

2. Amendments to the Bylaws

Mr. Rozansky introduced amendments to the Bylaws. After Board discussion at the January meeting, staff was asked to prepare updates to the Bylaws. The items presented for consideration were as follows:

1) Specifying a procedure for Commissioners requesting an item to be placed on a future agenda. This procedure is modeled after the procedure used by the Naples City Council for adding an item to a future agenda.

2) Clarifying that all Commissioners retain the right to discuss any item during the "Correspondence/Commissioner Comments" portion of a meeting;

3) Adding a procedure regarding the Consent section of the agenda;

4) Revising membership requirements for the Consultant Selection Committee from two (2) to three (3) Commissioners and specifying that two Commissioners present in person constitutes a quorum; Mr. Rozansky said pending approval, the Chair could assign a third member to the Committee;

5) Establishing the option for committee members to participate in committee meetings using communications technology under certain conditions.

Commissioner Burns was curious why three (3) Commissioners would be required to add an item to an agenda. He would have preferred two (2) Commissioners to be required. Chair Ruppert shared that the Board is not five individuals, and the Board needs to act as a Board. If members wish to introduce topics, that is welcomed; however, the topic doesn't become a topic of the Board unless more than half of the Commissioners are interested in having it become a formal agenda

item with public notice. Vice Chair Cuddihy clarified that this amendment would apply to getting an item on the agenda and that any Commissioner may bring up anything under the Correspondence section of the agenda. Chair Ruppert concurred.

If implemented and adopted, Commissioner Burns asked about the timing of when a Commissioner could request an item be added to a future agenda. Chair Ruppert stated that he preferred Commissioners wait to the Correspondence/Comments section of the meeting; however, he was not trying to make it black and white and was not adverse to considering it during the course of the meeting.

Vice Chair Cuddihy asked Mr. Owens if adding agenda items during a meeting would cause Sunshine issues. Mr. Owens said the Attorney General encourages notice of any item and particularly any agenda item that is controversial or of great public interest. He advised that any new agenda item should be placed on a future meeting agenda rather than added to a live meeting.

Commissioner Burns asked how members of the public would add an item to the Board meeting agenda. Mr. Owens stated that members of the public do not assign items to Board agendas. However, they are encouraged to speak to the Board members individually or speak under public comment during a meeting.

Commissioner Dustin noted it is the Chair's job to set the agenda along with the Executive Director. He said the proposed amendment demonstrates good governance.

Chair Ruppert stated the Bylaws were an attempt to address concerns expressed by Commissioner Burns after a previous Board meeting. He stated the changes were being proposed in the spirit of promoting transparency. Commissioner Burns expressed concern that when items are raised during the Correspondence/Commissioners section of the agenda, his time has been cut short to discuss items. Chair Ruppert said that all Commissioners will be afforded the opportunity to speak about a topic.

Mr. Owens explained that a procedure needs to be determined for when an item becomes part of an agenda and an action item that will be voted on. The Sunshine Law makes it clear that any formal action, particularly those that are controversial or of great public interest, should be appropriately noticed, with the public being afforded a chance to be aware of and participate in discussion on the topic. He said a Commissioner does have the right to bring any document to a meeting that he believes may be of interest to the other Board members. He added that the materials are for discussion and are not being voted on. Mr. Rozansky noted that any materials provided will become part of the final Board packet for that meeting and appear in the minutes. He said that any materials to be projected onto the screen need to be submitted early in order to follow the City's protocol.

Mr. Rozansky stated that staff had researched processes for citizens adding items to an agenda. A good process has not been determined.

Commissioner Cavanaugh was supportive of the proposed amendments. He thought it was about process and good governance. He also said the amendments will increase transparency.

Commissioner Cavanaugh moved Board approval to amend the City of Naples Airport Authority Bylaws pertaining to certain agenda procedures, membership and quorum requirements for the

Consultant Selection Committee. Vice Chair Cuddihy seconded. The motion passed unanimously 5-0.

Mr. Owens reminded the Chair that he could assign a third member to the Consultant Selection Committee but he doesn't need to address that at this time. Chair Ruppert said that he would like to address the membership at the next Board meeting.

J. NEW BUSINESS

1. Governance Workshop

Mr. Rozansky stated that staff was asked to research ideas for a governance workshop to discuss best governance practices. Ms. Mina Merkel is an on-call executive coaching consultant for the NAA. He felt Ms. Merkel could offer a beneficial perspective on governance and best practices. He proposed scheduling a workshop in March or some future date, working closely with the Chair on the preparation of materials for that meeting.

Commissioner Burns was supportive.

Commissioner Cavanaugh was supportive but would want to ensure that Mr. Owens is in attendance as a co-leader. Mr. Owens said he would be there to direct any specific Sunshine Law concerns.

Commissioner Dustin was supportive and has been a member of the National Association of Corporate Directors for over 30 years. He said their work, best practices and efforts on a national scope are extensive. He thought that exploring their offerings may be another option. He said the local chapter is held in Fort Lauderdale.

There was unanimous consent for staff to schedule a Board governance workshop meeting with the facilitators, Ms. Merkel and Mr. Owens.

2. City of Naples Safety and Security Protocols to Enter Council Chambers

Mr. Rozansky stated this item was for information only. Effective January 11, 2024, new security protocols were put in place to enter City Council Chambers for City Council and Community Redevelopment Agency Board (CRAB) meetings. All attendees must be screened by a metal detector and submit all carried items for a visual search. The City has asked attendees to arrive early enough for meetings if they wish to be in the Chambers before the start of the meeting. Their security protocols and a list of prohibited items allowed in the Council Chambers can be found on the City's website.

These protocols are only in place for the City Council and CRAB meetings; at some time in the future, protocols may be required for all meetings.

Commissioner Cavanaugh stated that if the City conducted a study, he would like to see a copy to understand the safety and security protocols better. He asked why the protocols would not be appropriate for all users of Council Chambers rather than just the City Council and the CRAB meetings. Vice Chair Cuddihy agreed that it would be helpful to understand what prompted these protocols.

Chair Ruppert also thought that if there were any precipitated events or studies, he would be interested in seeing factual data as well.

Vice Chair Cuddihy thanked the law enforcement officer who was here today and attends all of our Board meetings.

Commissioner Dustin agreed with the other Commissioners.

3. Florida House 1643 and Senate Bill 854 – Private Aircraft Landing Requirements

Mr. Rozansky advised that on January 9, 2024, a bill was filed that prohibits private aircraft from landing at airport owned or operated by commercial airport authority created by State Legislature as dependent special district unless certain requirements are met; authorizes airport authority to impose additional requirements for private aircraft; authorizes airport authority to require documentation that such requirements have been met. More detailed information about the bill can be found at https://www.flsenate.gov/Session/Bill/2024/1643. Mr. Rozansky stated that the underlying effect is that it could pre-empt a local airport's weight limit threshold, and the airport would have to consider increasing its weight limit based on this statute. He said each bill has been referred to various committees but has not been taken up for consideration by any committee. Being more than half-way through the legislative session, the bill is unlikely to progress.

Chair Ruppert thought the Board, in conjunction with the City, should get united and communicate that the NAA is not interested in raising the 75,000-pound weight limit for the runway. He said the House bill sponsor is Representative Bob Rommel of Collier County, FL.

Commissioner Cavanaugh stated that the Senate Bill sponsor is Senator Jonathan Martin of Lee County, FL. Commissioner Cavanaugh was curious about who was behind this bill. Mr. Rozansky stated he had not spoken with either of the legislators. He said there had been a past inquiry about what it would take to increase the weight limit or issue a waiver of the weight limit. Commissioner Cavanaugh asked what the next step would be after a bill like this was approved. Mr. Owens said the NAA would intervene immediately upon passing such an approved bill.

Vice Chair Cuddihy said larger aircraft would increase noise. She suggested that staff reach out to each of the organizations who are concerned about airport noise to contact their legislators about this bill.

Mr. Rozansky said the issue with this bill was not a matter of noise, but a matter of the structural integrity of the airfield and what has been constructed to accommodate certain aircraft. He said we have a longstanding history of the weight limit that was based on structural engineering studies and that every bit of pavement since the 1990s has been built to those standards. Mr. Owens said the bill would impact very few airports other than Naples.

As a Commission, Commissioner Burns suggested that this bill be opposed with an explanation of why we don't want it based on the weight limit and the impact it has on the airport.

Chair Ruppert asked Mr. Rozansky about drafting a letter. Mr. Rozansky appreciated the desire to oppose the bill, but drafting a letter may be premature. He offered to share the memo that our aviation attorney drafted for further discussion. Meanwhile, with consensus of the Board's opposition to the bill, if Mr. Rozansky needs to respond to anything sooner, he would know how to respond with the Board's voice behind him.

Commissioner Dustin suggested that this needs to be left for the Executive Director's judgment. He said that the Executive Director needs to find out if the City is opposed and that we will be stronger with joint action by the City of Naples and NAA.

The consensus of the Board was to oppose Florida House Bill 1643 and Senate Bill 854. If there is a feeling that the bill is moving forward, a letter will be drafted and addressed to the Senator and House Representative on behalf of the Board in conjunction with City Council. Mr. Rozansky stated he would take that consensus and work with the City Manager to take appropriate action.

Clerk's Note: A short recess was taken at 10:14 a.m.

K. OLD BUSINESS

1. Master Drainage Plan Update

Mr. Lobb presented an update to the ongoing Master Drainage Plan (MDP) that was initially commissioned last summer. He gave a brief refresh of the project, stating this project will expand upon the airport's status as being a leader in the management of stormwater runoff. There was a MDP in place, but some updates are necessary due to environmental water quality rules. There is also enhanced focus on environmental protection, and better technology is available driven in part because of some of the projects being done in Naples. All of this will benefit the surrounding properties and waterways. Mr. Lobb introduced Mr. Scott Brady, EG Solutions, to make a presentation.

Mr. Brady provided the goals of the MDP, the ultimate goal being clean water and a safe airport. He reviewed the project by phase. Phase 1 is the Discovery Phase, which establishes baseline conditions subject to South Florida Water Management District (SFWMD) approval. Phase 2 is the Conceptual Design Phase, the update that, once permitted, establishes the design conditions for the required water management improvements.

Mr. Brady reviewed offsite areas that are improved by the airport's water treatment systems. Commissioner Cavanaugh asked about the drainage, and Mr. Brady explained where some of the drainage takes place before it goes into Rock Creek, south of the airport. Commissioner Cavanaugh asked if the water is tested as it drains onto the property. Mr. Brady said in the last project, everything that flowed into and out of Pond 212 was tested. The next time, water quality testing will be set up to catch it at Pond 208, where offsite water is also tested. Commissioner Cavanaugh asked if the pond system was state of the art for filtration. Mr. Brady said 212 is state of the art, and 208 and 214 are the state of the practice.

Chair Ruppert asked how the particulates that are being captured and distilled are being removed. Mr. Brady responded that it could stay in the body of water since it is particulate and not dissolved.

Following the presentation, Mr. Brady discussed the soil, sediment and groundwater testing. He gave the testing parameters, presented the project schedule and reviewed the next steps in the process.

Regarding the status of Phase 2 of the MDP Update, Commissioner Burns asked for identification of the regulatory agencies with whom EG Solutions has meetings. Mr. Brady said the first set of meetings will be with the SFWMD, and the second set will be with the SFWMD and City of

Naples. Florida Department of Environmental Protection (FDEP) has also been included for wetlands and looking at it for statewide implications.

Commissioner Cavanaugh asked if there are any airports with water treatment plants on their properties. Mr. Brady said he did not know of any. Stormwater volumes are huge, and in some cases, the constituents are at extremely low levels. One of the reasons for Pond 212 is because of the airside runoff for most airports; in fact, for 10% of the airports in Florida, the only water quality constituents concerned were the ones that the new rules oriented around phosphorus and nitrogen. Mr. Brady said while there are no water treatment plants, there are other treatment technologies used to treat the water.

Commissioner Burns asked if the hand auger soil sample results could be shared with the consultants who are replacing the airport lighting. Mr. Brady said that information could be shared as the data is collected. Mr. Rozansky said that information will also be shared with the Board.

Chair Ruppert asked if there would be a Phase 3. Mr. Brady said Phase 3 is simply building what is learned from the MDP.

2. North Road Terminal Apron Improvements Update

Mr. Lobb said the North Road Terminal (NRT) Apron Improvements project is in the discovery phase with the consultant/engineer of record, Michael Baker International. There are some major goals which include preservation of major infrastructure and improvement of safety maneuverability for aircraft traversing that ramp with areas for circulation and taxiing. Also, to include direct access to the runway by creating additional turns that aircraft need to make.

Mr. Nathan Parish, Project Manager for Michael Baker International, gave a brief overview on the discovery phase of the NRT Apron Improvements project in the South Quad apron. He reviewed the program scope, which consisted of pavement reconstruction, grading and drainage improvements, pavement geometry modifications to enhance safety/maneuverability, airfield lighting and signage and high mast apron lighting.

Mr. Baker reviewed the existing apron pavement conditions as well as some of the layer thicknesses of the pavement. He noted that on the aerial shown, the red and pink areas recommend reconstruction, the yellow area is a good candidate for mill and overlay but in this case, he said the pavement looks a bit thin and the current FAA standard was increased from two inches to four inches minimal asphalt thickness. For that reason, he said we are conservatively planning on reconstructing all of the apron shown in red, pink and yellow on the aerial. He presented the conceptual phasing plan, discussed the work completed and the work remaining. The work remaining includes grading cross-sections and designing a grant application. He reviewed the existing and proposed apron utilization plan. He said the capacity will be similar but will depend on the aircraft fleet. Some connector taxiways will also be relocated to comply with FAA safety standards.

Chair Ruppert asked if the FAA ADO gave their approval on the project. Mr. Lobb responded that they don't necessarily give approval of the project but indicate that they have sufficient information and the project is competing well for discretionary funding in future years.

Mr. Parish said that a grant application would be submitted in May of this year for the design. He showed a side-by-side comparison of the existing apron vs. the proposed concept. He noted that

the line going across the north part of the apron depicts the RVZ (runway visual zone) and aircraft are not permitted to park north of that line when the tower is closed. In response to Chair Ruppert's question regarding capacity on that apron, Mr. Parish said that it will be similar but can vary a lot based on the fleet type.

On the Apron Utilization Plan slide, Commissioner Burns asked about aircraft parking on the aprons during hours the tower is closed. Mr. Rozansky explained the restrictions with the RVZ and noted that the proposed project as shown on the right side of the aerial would significantly reduce aircraft parking. Regarding the parking area restricted to tower hours, Commissioner Burns asked if the "dashed blue" symbol overlaying the purple area, would be additional areas for aircraft to park. Mr. Rozansky said that area could be used during the daytime hours, but not at night. Commissioner Burns asked if this project would increase the parking capacity of the apron. Mr. Rozansky said no. Commissioner Burns asked if this particular apron was primarily NetJets parking area. Mr. Rozansky said other customers are parked there as well and that the ramp is comingled and not exclusive to NetJets. The aircraft get towed across the runway and are parked for a certain period of time. Mr. Rozansky said this project would result in a significant reduction in parking area. Commissioner Burns commented that the apron utilization plan was not an ideal solution to solve the pavement thickness dilemma. He said the positive outcome was the reconfiguration would provide a safer, better utilization plan, but expressed that the negative outcome would be that people would see it as a way of parking more aircraft, even though Mr. Rozansky said that that doesn't happen all the time. Mr. Rozansky reiterated that the proposed plan is a significant reduction in parking capacity. Chair Ruppert said he had the same question, but he understood the proposal. He said action would have to be taken on the taxiways to conform with the FAA stated position that a taxiway cannot go straight to a runway without a series of turns first. On the proposed configuration, Mr. Rozansky stated that there is more square feet of pavement than the existing apron, but the area is used for taxiing and maneuverability.

Commissioner Cavanaugh asked why not be more aggressive in the timing of design. Mr. Lobb said because it is AIP discretionary funding, nothing may be done in advance of a grant with subsequent request for reimbursement.

Mr. Baker presented the preliminary program schedule and cost estimates.

L. LEADERSHIP TEAM REPORT

1. Leadership Team Report

Chair Ruppert asked if anyone had questions or comments about the report.

Commissioner Cavanaugh thanked staff for the increased detail in the report regarding social media outreach and activities. He felt it was helpful because its analysis indicates what our community finds important, and it demonstrates NAA is operating effectively.

On page 1 Commissioner Burns commented regarding the City of Naples Vulnerability Assessment and Resiliency Working Group. He asked what the benefit was to a partial north quadrant landfill relocation. Mr. Rozansky said that project had been presented and discussed previously and was also listed in the capital section of the financials. He said a scope is being worked out with the FAA to do an environmental assessment. The location is in the northwest corner of the airport adjacent to the Sheriff's facility, and it is an area where there would be some stormwater infrastructure improvements. This project would leave the site in a better condition as

it is currently rough terrain and cannot be adequately maintained. It is a municipal landfill, and, in the past, portions of the area have been tested. Testing would be done again as part of the environmental assessment and design process. Commissioner Cavanaugh informed everyone that the landfill was a legacy landfill that was created by the City of Naples when they were using it as a receptacle for municipal waste. It came to the NAA along with the lease with the City which was signed decades ago. The airport has not been a polluter on that site. He said the NAA is moving forward to make sure that area does not affect the residents or the river. Commissioner Dustin added that this is another benefit the City of Naples is receiving as a result of the good stewardship of the NAA.

On page 3 Commissioner Dustin pointed out the favorable comments from the Greater Naples Leadership Tour. Vice Chair Cuddihy was part of the Grater Naples Leadership Tour, and she was pleased and impressed with the number of comments received. She said Mr. Rozansky did such a great job and the class was very appreciative of the time and expertise because they learned so much. Mr. Rozansky extended his appreciation to the Communications Department and others who helped. It was a team effort to make that day happen.

Commissioner Burns brought up the relocation of the airport and the political posturing. He thought the NAA Commissioners and the Executive Director should provide leadership with regard to what should be done with the airport. Should it stay in place, be relocated, or be repositioned? He said the lease would have to be discussed if the airport was not relocated. Commissioner Cavanaugh asked if Commissioner Burns was concerned that the Board was not providing leadership. Commissioner Burns said it appeared that the Board is waiting until after the election. Commissioner Cavanaugh asked what he felt could be done. Commissioner Burns said the Board could be providing reasoning as to why it may not be a bad idea to think creatively. Commissioner Cavanaugh said a holistic study is being conducted, and he is extremely comfortable with the timeline and is looking forward to the work being produced by the consultants. Commissioner Burns said the NAA Board was supposed to have met with the County Commissioners and the City Council by this time to look at potential sites.

Chair Ruppert objected to that conclusion because he said there was Board discussion, and in December, a decision was made to go forward with a presentation in January, which happened. May was identified as the first phase at the briefing, and stakeholders were to be consulted during those six months, including the City Council. He clarified his comment about March and the election and took exception to the anecdotal comments being taken out of context. Chair Ruppert stated that he had no intention, either as Chair or as a Commissioner, in abdicating his responsibilities and takes this project seriously. He believes it is solely up to the Board, as a whole, to produce a strong point of view about the future of the airport and/or the identification of suitable sites. Chair Ruppert said there is a project schedule that has been published.

Mr. Rozansky recalled a discussion about the holiday schedule, and it became clear this study was going to be difficult to have a proper "kick-off" presentation until January. In January, there was discussion about when to engage the City and he heard clear consensus to wait until after the local election. In the meantime, Mr. Rozansky said outreach has already begun with some of the stakeholders, including the County.

Vice Chair Cuddihy expressed her dissatisfaction with Commissioner Burns' implied statement that the NAA Board is not acting in a leadership position. Commissioner Dustin also did not appreciate Commissioner Burns' comments.

M. FINANCIAL REPORTS

1. Financial Summary

Mr. Warriner presented the financial summary report for the month of January 2024. Operating revenue was favorable to budget by $448,250. Operating expenses were unfavorable to the budget by $16,151 or 1%. Income from operations was $2,058,099 or $432,099 favorable to the budget. The year-to-date change in net position before capital contributions was $5,272,571 and favorable to budget by $2,709,519.

Chair Ruppert asked for an explanation of the positive expense variance in professional services and legal services. Mr. Warriner responded it had been budgeted throughout the year. In legal services, the aviation attorney was included.

Commissioner Dustin moved the Board acceptance of financials for January 2024, as presented. Vice Chair Cuddihy seconded. The motion passed unanimously 5-0.

N. COUNSEL'S REPORT

Mr. Owens reported no pending litigation or other material legal matters to discuss.

O. PUBLIC COMMENTS (5-minute limit)

Ms. Eileen Lowry, West Lake Drive, Naples, asked why the improvements could not be paid for out of cash rather than having taxpayers contribute by way of grants to pay for the improvements. She also asked about a future agenda item to discuss the price of fuel and asked what the implications would be by transitioning to a privately run FBO.

Commissioner Cavanaugh stated no local taxpayer dollars are being utilized for the airport. The grants from the federal government are dispersed across the country. He is extremely comfortable as a taxpayer, Board Member, and a resident of Naples, making sure Naples gets its fair share of the FAA allotment to ensure a safe airport for the residents and the aviation community.

Commissioner Dustin thought Ms. Lowry's questions deserved an appropriate response. He was not opposed to having this information on an agenda as an update.

Mr. Rozansky stated that without the current planned grants on the capital program, funds would be exhausted in less than five years. There are capital project needs, including a runway rehabilitation in the next five years, all of which are more than $100 million with less than half of that being funded by grants.

Chair Ruppert called for a five-minute recess.

P. CORRESPONDENCE/COMMISSIONER COMMENTS & REQUESTS/MEETINGS

Commissioner Burns distributed and discussed an e-mail dated January 17, 2024, received from Ms. Eileen Lowry. He focused on the effort that Ms. Lowry put into identifying aircraft flight paths from December 26 through December 30, 2023. Ms. Lowry thought it would be appropriate to make Naples Airport an airport available to Naples residents who own aircraft. He said we could put it on a future agenda item for discussion.

Commissioner Burns would like to have an agenda item about the possible funding by FEMA for relocating an airport. He suggested that the Executive Director could research this in advance.

Commissioner Burns would like to have a discussion about what Naples Airport would look like when part of it needs to be a vertiport.

Commissioner Burns would like to find out if there is any interest in NAA taking over management of the county airports, including Marco Island and Immokalee. If that were the case, the NAA could use funds to improve facilities at those two airports.

Chair Ruppert said there is a mutual aid agreement in place that would allow NAA to assist the other county airports if necessary.

Chair Ruppert thanked Ms. Lowry for being specific and data driven in her concerns. He would not be opposed to having an agenda item at some point in the reasonable near future.

Mr. Rozansky clarified that staff did not verify the accuracy of data provided by Ms. Lowry. He said that he was unaware of any mechanism in law that would make it possible to limit the Naples Airport to Naples residents who own aircraft.

Chair Ruppert was amenable to allowing an agenda item based upon Ms. Lowrey's inquiries.

Vice Chair Cuddihy thought Ms. Lowry's inquiry could be broken down and addressed as three issues:

1) How do we determine runway use and why can't we use other runways more frequently?
2) How do we price fuel?
3) Why can't we just make the airport available to residents who own their own aircraft?

Chair Ruppert's desire was to answer the inquiries, but in all fairness, address them comprehensively for the benefit of the public, as well as Ms. Lowry. This would be a revisit of the facts in response to reoccurring public concerns.

Mr. Rozansky suggested that some of the questions and responses may be appended to the frequently asked questions section of the website.

Commissioner Dustin moved Board approval to address Ms. Lowry's questions in her email dated January 17, 2024, to the City Council, NAA Board of Commissioners, City Manager, and NAA staff at the March Regular Meeting.

Commissioner Cavanaugh mentioned he had received other e-mails during the holiday season from Ms. Mary Tatigian and he had set up a meeting for Mr. Rozansky and himself to meet with her. Many of her comments were similar to Ms. Lowry's inquiries. Commissioner Cavanaugh would like to incorporate the inquiries he received together with the inquiries that will be addressed under the current motion.

Mr. Rozansky stated that Ms. Lowry's and Ms. Tatigian's questions could be compiled under one agenda item.

Mr. Owens stated that a motion was made by Commissioner Dustin to address Ms. Lowry's questions in her email dated January 17, 2024, as an agenda item at a future meeting and to incorporate Ms. Tatigian's inquiries into the agenda item as well. Commissioner Burns seconded. The motion passed unanimously 5-0.

Commissioner Dustin said with regard to Commissioner Burns' suggestions about the other items, the county airport management has been discussed at various times. It should be discussed again as part of the relocation study and the same is true with regard to the vertiport and the possible funding by FEMA for relocating an airport. Mr. Rozansky said staff could research the consultant's scope and if these items fit within it.

Chair Ruppert recommended that in the near future, Barry Brown present another update regarding vertiports since there have been changes since his last update. Mr. Rozansky said that staff has requested ESA to develop a scope and fee on high level planning for eVTOLs.

Vice Chair Cuddihy asked permission to participate in the March meeting via Zoom since she would be out of state.

Chair Ruppert addressed the development of Inlet Quay. He noted that City Council will be discussing whether to approve the development next Thursday. The NAA position is for the avigation easement to stay in place. The developer has not contacted the NAA to change anything that they previously negotiated in good faith. Chair Ruppert said he has spoken with two Council members about the NAA's position. He encouraged the other Board members to contact City Council members if they feel the same way about the avigation easement.

Mr. Owens has been in contact with the developer's counsel since the last meeting. To the developer's credit, they have been working with staff in good faith to put the avigation easement in place.

Chair Ruppert asked everyone to keep the families of Mr. Murphy, Mr. Hofmann, and Mr. Carls in their thoughts and prayers.

Q. ADJOURNMENT

With no further business, the meeting adjourned at approximately 12:32 p.m.

Christopher A. Rozansky
Secretary

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

Robin E. Menard

Subject: Eileen Lowry's Email Dated January 17, 2024

From: Eileen Lowry <eileenlowry7@gmail.com>
Sent: Wednesday, January 17, 2024 6:37 PM
To: council@naplesgov.com; Kerry C. Dustin <kdustin@flynaples.com>; Rick Ruppert <rruppert@flynaples.com>; Rita Cuddihy <rcuddihy@flynaples.com>; Robert Burns <RBurns@flynaples.com>; Terry Cavanaugh <TCavanaugh@flynaples.com>; jboodheshwar@naplesgov.com
Cc: Chris Rozansky <CRozansky@flynaples.com>; Zachary Burch <zburch@flynaples.com>
Subject: [External] Naples Airport activity

Dear NAA and City Council,

I was provided a list of all of the flight operations out of Naples Airport for the dates 12/26 - 12/30. As you know runway 23 arrivals and departures fly over our two downtown areas of 5th Ave S and 13th Street S often at 1000' or less in altitude.

Here were the highlights:

1483 flights over 5 days (12/26 - 12/30/23)
390 different operators
15% of total ops were Net Jets flights or about 1/3 of all jet flights
36% of total ops are top 10 operators
Runway 23 had 70% of all arrivals and 60% of all departures
Runway 5 had 30% arrivals and 39% departures
Runway 14 had ONE departure and ONE arrival
Runway 32 had NONE

Why are the majority of flights being directed over the areas where we have the highest population and the most outdoor dining and shopping, schools, parks, places of worship and beaches? I spent a fair amount of time on 5th Ave during that time and couldn't help but notice the shocked expressions on the faces of our shoppers and diners when a large low-flying jet barreled overhead. The reaction is usually "What the hell was that??". What is being done to protect Naples' Crown Jewels and the quality of life and health of its citizens and guests?

Why aren't the other runways being used? Runway 5 departures go over the County industrial area and affect very few residents and no schools, parks etc. Why aren't most of the departures using runway 5? Why wasn't 14/32 used other than for one jet that requested that runway? 5/23 was the same length as 14/32 before it was extended and the jets had no problem using it then. And during the extension all operations used 14/32. Can a meeting be held with the traffic controllers to understand the routing protocols?

On a separate topic, Naples Airport charges anywhere from $1 - $4 LESS per gallon for fuel vs other comparable airports. On 12/24/23 Naples Airport tenants, including Net Jets (which is basically a commercial airline and should be prohibited) paid $4.87/gallon (non-tenants/published pricing $5.87/gallon). Published fuel pricing for Private Sky (at RSW) was $6.99, West Palm $9.03 and Sun Valley

$10.13. How do we know that Net Jets isn't just flying in and out of Naples Airport to fuel up? Naples Airport should be charging fair market value for its fuel. Charging market rates Naples Airport could reel in an additional $10m - $40m per year which could help pay for all of their own expenses so they can stop the grants as City Council recently suggested.

In looking at the first quarter numbers we are track for another year like 2022 where we saw 122k operations. The residents have had enough - make Naples Airport an airport for residents who own their own aircraft only. That is a win/win.

Thank you.
Eileen Lowry, Naples resident

CITY OF NAPLES AIRPORT AUTHORITY (NAA)
Board of Commissioners
Notice of Regular Meeting

FINAL AGENDA

City Hall Council Chambers
735 Eighth Street South
Naples, FL 34102

Thursday, February 15, 2024
8:30 a.m.

Commissioner Rick Ruppert – Chair
Commissioner Rita Cuddihy – Vice Chair and NCC Liaison
Commissioner Kerry C. Dustin – Consultant Selection Committee Chair, Audit Committee Member
Commissioner Robert P. Burns – Consultant Selection Committee Member, Audit Committee Member
Commissioner Terrence W. Cavanaugh – Audit Committee Chair
Executive Director: Christopher A. Rozansky
Authority Attorney: William L. Owens, Esq. of Bond, Schoeneck & King, PLLC

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

NOTICE

Formal action may be taken on any item listed on the Agenda below, or added to the Agenda before or during the meeting, or discussed during the meeting without being added to the Agenda. Also, the sequence of items may be changed as the meeting progresses.

Any person who decides to appeal a decision of this Board with respect to any matter considered at this meeting (or hearing) will need a record of the proceeding and may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be heard.

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

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

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

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

D. MINUTES

1. January 18, 2024, Regular Meeting Minutes

E. PRESENTATIONS AND TIME CERTAIN ITEMS

1. Employee of the Quarter

F. PUBLIC COMMENTS ON GENERAL TOPICS NOT ON THE CURRENT AGENDA

G. NOISE

1. Noise Compatibility Committee Update

2. Noise Report

H. CONSENT AGENDA

1. Resolution 2024-2, Adopting the Statewide Mutual Aid Agreement and State of Florida Division of Emergency Management Statewide Mutual Aid Agreement

2. Sole Source Agreement with Frequentis USA, Inc. for Air Traffic Control Tower Equipment in an Amount Not to Exceed $141,447

3. Security Improvements Project Phase II, AVCON, Inc. Task Order No. 3 in an Amount Not to Exceed $170,334.00

I. ACTION ITEMS (Public comments accepted for each item; 5-minute limit)

1. Task Order Amendment with SchenkelShultz Inc. for North Road Terminal Renovation Services in an Amount Not to Exceed $91,113.00

2. Amendments to the Bylaws

J. NEW BUSINESS

1. Governance Workshop
2. City of Naples Safety and Security Protocols to Enter Council Chambers
3. Florida House Bill 1643 and Senate Bill 854 – Private Aircraft Landing Requirements

K. OLD BUSINESS

1. Master Drainage Plan Update
2. North Road Terminal Apron Improvements Update

L. LEADERSHIP TEAM REPORT

1. Leadership Team Report

M. FINANCIAL REPORTS

1. Financial Summary

N. COUNSEL'S REPORT

1. Counsel's Report

O. PUBLIC COMMENTS (5-minute limit)

P. CORRESPONDENCE/COMMISSIONER COMMENTS & REQUESTS/MEETINGS

Q. ADJOURN

CITY OF NAPLES AIRPORT AUTHORITY (NAA)
Board of Commissioners
Notice of Audit Committee Meeting

FINAL AGENDA

City Hall Council Chambers
735 Eighth Street South
Naples, FL 34102

Thursday, February 15, 2024
Immediately Following Naples Airport Authority Board of Commissioners Regular Meeting

Commissioner Rick Ruppert – Chair
Commissioner Rita Cuddihy – Vice Chair and NCC Liaison
Commissioner Kerry C. Dustin – Consultant Selection Committee Chair, Audit Committee Member
Commissioner Robert P. Burns – Consultant Selection Committee Member, Audit Committee Member
Commissioner Terrence W. Cavanaugh – Audit Committee Chair
Executive Director: Christopher A. Rozansky
Authority Attorney: William L. Owens, Esq. of Bond, Schoeneck & King, PLLC

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A. **ROLL CALL**

B. **PLEDGE OF ALLEGIANCE**

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

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

E. **DISCUSSION ITEM**

1. Fiscal Year 2023 Audit and Annual Comprehensive Financial Report

F. **NEW BUSINESS**

G. **PUBLIC COMMENTS**

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

1. Upcoming Audit Committee Meetings

I. **ADJOURN**

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

NOTE: The Audit Committee is comprised of Commissioner Cavanaugh (Chair), Commissioner Dustin and Commissioner Burns (Members). All NAA Commissioners are welcome to attend and can "opt in" to participate.