Thursday, September 15, 2022
Naples Airport Authority: Regular Meeting
Corrected

The meeting was called to order by Chair Dustin at 8:33 a.m. in the Council Chambers at City Hall.

A. ROLL CALL

1. Roll Call

Present were Chair Dustin, Vice Chair Ruppert, Commissioner Lenhard, Commissioner Messer and Commissioner Cuddihy.

Staff and Authority Counsel present were Mr. Rozansky, Mr. Owens, Ms. Cooper, Mr. Lobb, Mr. Keith, Mr. Warriner, Mr. Gray, Mr. Brown, Ms. Bendle, Mr. Burch, Ms. Arciere, Ms. Acosta and Ms. Menard. Also present were Commissioners-elect Mr. Terrence Cavanaugh and Mr. Robert Patten Burns.

B. PLEDGE OF ALLEGIANCE

Chair Dustin led the Pledge of Allegiance.

C. AGENDA

Mr. Rozansky noted the following changes to the Agenda:

- **Minutes of August 18, 2022** – On the NAA Board Focus Group attachment to the minutes, three of the bulleted points in the upper right and lower right boxes on Slide 2 were revised and noted in red text.

- **Presentations/Time Certain Items** – A new item has been added to Presentation/Time Certain Item 1, Joint City/NAA Workshop Follow Up. Item Nos. 1 (Recognition of Retiring Employee), 2 and 3 will be re-sequenced to Item Nos. 2, 3 and 4. Recognition of Outgoing Commissioners will be moved to the end of the agenda as Item 2 under Correspondence/Commissioner Comments & Requests/Meetings.

- **Under Action Item 3, Resolution 2022-11, Adoption of Fiscal Year 2023 Operating and Capital Budget** – In the presentation, changes were made to the two pages in the slides titled, Operating Expense Assumptions. The corrected pages were distributed in advance.

- **Under Action Item 4, Renew Certain Insurance Policies in an Amount Not to Exceed $779,743** – The briefing paper was revised with the following paragraph added. Also, a minor revision was made to the presentation.

  "Our current airport liability coverage has been with Chubb for the last three years under a three-year rate guarantee. There are currently two open claims they are processing, including one for over $1M. They have proposed on renewing our coverage for an annual premium of $82,931 (included above). We have a lower premium option from AIG for

$75,750. The differences in the policies are on pages 8 and 9 of the Alliant presentation. Staff is recommending that we continue with Chubb."

- **Under Action Item 8, FY 2023 Strategic Plan Scorecard and Strategic Plan Incentive Program** – The briefing paper has been corrected, changing the words from Goal 2 to Goal 1, in the last paragraph on page 1. It should read as follows:

  Based on feedback regarding Goal 1, staff is providing the proposed original Project/Initiative, carried forward from the FY 2022 Scorecard, and an alternate for discussion.

  The following measure has been added to the revised Scorecard: "Submit final proposed alternative measures that fall outside the Part 150 Study to the FAA (not including FAA review, approval or implementation)"

- **Under Leadership Team Report, Item 1** – The Human Resources report has been revised/reconciled to more accurately align with the financial statements.

- **Item O., Swearing in Ceremony for Incoming Commissioners** – This item has been removed. The formal ceremony will be conducted at the October Regular Meeting.

- **Item P, Adjourn** – This item has been re-sequenced to Item O.

Revisions pertaining to these items were emailed in advance to the Board and printed copies were distributed at the dais this morning. All revised documents will be included in the Final Board Packet.

D. MINUTES

1. August 18, 2022 Regular Meeting Minutes

Vice Chair Ruppert moved approval of the corrected August 18th Regular Meeting minutes. Commissioner Messer seconded. Motion passed unanimously 5-0.

E. PRESENTATIONS AND TIME CERTAIN ITEMS

1. Joint City/NAA Workshop Follow Up

Mr. Rozansky requested Board discussion and direction following the September 12th Joint Workshop between the City Council/NAA. He said staff prepared a brief memo outlining points to consider as follow-up from that workshop. The points included accelerated completion of the Part 150 Noise Study, continued pursuit of alternatives that fall outside the scope of the Part 150 Noise Study (such as higher, faster sooner), potential lobbying efforts related to the FY 2023 FAA Reauthorization which occurs every five years in Congress, and the merits of a potential Part 161 Noise and Access Restriction Study.

Chair Dustin pointed out that City Council had a meeting after the NAA Board left the Workshop meeting on September 12th to discuss the City attorney issues, but their discussion became a follow-up of the Joint Workshop. He added that City Council would be convening on Monday to discuss the airport and that Council Member Petrunoff made a motion, seconded by Council Member Blankenship, that City Council be aligned with the NAA Board of Commissioners. He added that Council Member Blankenship stated that if both groups are not aligned, there will be no success.

Commissioner Lenhard apologized for not attending the Joint Workshop and said that he had accompanied a family member to a previously scheduled appointment out of state. He said he was able to listen to the first two hours of the joint meeting in the morning. He said all of the above suggestions discussed during the first two hours were good. He added that he was unable to listen to the discussion about a potential Part 161 Noise and Access Restriction Study, and therefore, had no comments regarding that suggestion.

Commissioner Cuddihy stated that she was glad we had the meeting. She said that we need to do a better job of explaining our language. She commented that it was a missed opportunity that we were unable to hear the agenda item from the City's aviation attorney. She said that while accelerating the Part 150 Study has merits, we do need to continue on things that are outside the scope of the Part 150. She agreed that the lobbying efforts and conducting a Part 161 Study as part of an overall strategy is a good approach. She expressed concern with the Sunshine Laws and how can we move forward on alignment without another workshop.

Mr. Owens suggested that the Board could schedule a Special Meeting that is publicly noticed to have a more thorough discussion and where formal action may be taken. Coordinating a Joint Special Meeting so that action could be taken by both City Council and the NAA Board of Commissioners would be logistically difficult but could be considered.

Commissioner Cuddihy recommended that our aviation attorney establish dialog with the City's aviation attorney. There was discussion that the City's aviation attorney had limited scope and was not authorized to have discussion with our attorney at that time.

Mr. Rozansky announced that the day after the Joint Workshop Meeting, the FAA reached out to schedule a briefing on October 4th, the same day we had a Technical Advisory Committee meeting scheduled. He said that staff was looking into alternate dates to reschedule the Technical Advisory Committee meeting.

Regarding the lobbying efforts, Commissioner Cuddihy asked what are we lobbying for. She added that it would be difficult to come up with a plan without everyone in the discussion, especially since the City's aviation attorney conflicts with what we have heard from our aviation attorney.

Chair Dustin stated that the City's attorney had not yet been engaged but he suggested that the Board authorize Mr. Rozansky to begin working out a lobbying agenda with Mr. Kirsch.

Commissioner Messer commented that we need to be cautious about accelerating the completion of the Part 150 Noise Study. The purpose of the Study was to bring everyone to the table, and if we accelerate the Study, we may not have them anymore. She agreed with Commissioner Cuddihy's question about what will we be lobbying for and stated the merits of a Part 161 is for

discussion. Commissioner Messer noted that the Mayor tried to set an excellent tone for the meeting but unfortunately, all on City Council did not heed the tone she set. Instead of being a collaborative workshop, she said the NAA was put on the defensive and that is not the way we are collectively going to get anything done. She stated it is also not what the community wants; they want us to move forward together. She re-emphasized that in order to move forward with the FAA, we need to work together, and it is important the NAA and City Council recommit themselves to doing that.

Chair Dustin said that Commissioner Messer's comments were well stated.

Mr. Rozansky added that he spoke to ESA regarding the remaining steps in the Part 150 Study, and it will be difficult to accelerate the Noise Study because it relies on the outcome of our meeting with the FAA, relies on one or two more meetings with the TAC and possibly, the NCC. It is such a voluminous document that the FAA has asked us to provide them with a 30-day review period before we publish the draft NCP, and it will be exceedingly difficult to complete that before Spring 2023. He too cautioned the Board against moving past the Noise Study and reminded them that staff has faced much criticism because the Noise Study of 2010 was not completed, due to the Great Recession when activity dropped so severely that there would be no benefits to be gained. He suggested that the Part 150 Study be completed because we will not have any credibility with the FAA if we abandon it and go straight to the more restrictive Part 161 process.

Mr. Rozansky summarized the discussion. Following the City Council's discussion on Monday, September 19th at 2:30 p.m. regarding the airport, he will ask the City to share Council's feedback on their desired next steps, request our aviation attorney have a substantive discussion with their aviation attorney and request a meeting date no later than mid-October with City Council.

In response to Commissioner Cuddihy's question to Mr. Owens about having a standing agenda item for noise abatement/Part 150 Study on future Board agendas, Mr. Owens suggested a more specific agenda item for the public's benefit rather than having it on the agenda for a "just in case" item.

Regarding Vice Chair Ruppert's question about identifying and categorizing the 80+ suggestions that could be accomplished outside the Part 150 Study, Mr. Rozansky stated that following the FAA and TAC meetings, staff will make clear distinctions between initiatives that move noise to another neighborhood versus those that reduce noise for everyone. He added that ESA will have additional analysis, and the timeline to establish priorities would be in the November timeframe.

Mr. Rozansky explained that the FAA has up to 180 days to review our recommendations, and if all of our recommendations are accepted, the implementation schedule could take another 18-24 months for the FAA to write a flight procedure to be published in their charts. He noted that the implementation schedule is a very lengthy process.

Commissioner Messer noted that some of our discussion with the FAA was trying to get one or two of these recommendations tested over the summertime, when activity is lower. She said that NAA staff had the discussion in May with the FAA and with continual delays, our meeting with the FAA has been delayed again and postponed to October. She explained that for anyone who doesn't understand the process, we will now jump to another off-season before we can test any of the suggestions.

There was discussion regarding the sense of urgency to discuss the Reauthorization. Mr. Rozansky stated that there is some groundwork being laid now, but the most substantive legislative discussion will occur after the mid-term elections.

Mr. Stephen Myers, 2087 Imperial Circle, Naples commented that he attended the Joint Meeting on September 12th and appreciated the dialog but was surprised that City Council ended the meeting when they did. He said they then reconvened and had about a 40-minute discussion about the airport. Mr. Myers wanted to publicly state that this was a little disingenuous. He noted that lobbying for a Part 161 Study would raise the ire of the FAA and it would dramatically reduce any chances for our other recommendations.

Chair Dustin welcomed Mr. Bob Burns, one of our recently appointed incoming Commissioners, to the podium. Mr. Bob Burns, 720 Broad Avenue North, Naples commented about the Reauthorization coming up in 2023. He said this was a great opportunity for us, but using the word, lobbying, is one part of the effort. He suggested changing the name from lobbying to educating our Congressional representatives and senators on what our community issues are. He thought that we would get more support that way. Mr. Burns thanked Commissioner Lenhard and Commissioner Messer for their contributions to the NAA and welcomed them to continue to communicate with him.

Mr. Rozansky summarized the above discussion and next action steps to: 1) Request the City for Council's feedback from their planned meeting on September 19th; 2) Ask if their aviation attorney and our aviation attorney can engage in substantial policy level discussion to work out some of the differences of opinion; 3) request dates for a Joint Special Meeting with NAA Board/City Council; and 4) Begin preparing an item to educate our Congressional delegation for our October Regular Meeting.

2. Recognition of Retiring Employee

Chair Dustin recognized Ms. Virginia Bendle who will be retiring from the NAA. He said that she led the Human Resources Department since 2016 as well as the Communications Department. He noted that she worked tirelessly to bolster Human Resources, played a key role in building the culture employees enjoy today, played a critical role in the airport's response to the effects of COVID-19 and greatly enhanced employee engagement, recognition, professional development, and career pathing programs. Chair Dustin presented Ms. Bendle with a plaque in appreciation of her contributions to the NAA.

3. Security Blue Lightning Initiative

Mr. Brown requested Board consensus to participate in the Department of Homeland Security's Blue Lightning Initiative, a human trafficking awareness and training program, led by the U.S. Department of Transportation and U.S. Customs and Border Protection. He presented an introductory overview of the program, what it means to be a partner, the national standardized training program, indicators to look for, and the memorandum of understanding. He said that more than 200,000 aviation personnel have been trained to date to eliminate human trafficking. He said that if approved, we will be the third airport in the state to participate, along with Punta Gorda Airport and Miami International Airport.

A question-and-answer period followed.

Commissioner Cuddihy suggested adding this initiative to our Scorecard.

Commissioner Lenhard made a motion to approve the NAA to participate in the Blue Lightning Initiative. Commissioner Cuddihy seconded. The motion passed unanimously 5-0.

4. Design Build Services for the Solar Canopy Installation and the Expansion of the Long-Term Parking Lot Expansion at the General Aviation Terminal (GAT)

Mr. Keith presented an update on the status of the GAT long term parking lot improvements and solar panel project. He noted that at the February 2022 Regular Meeting, staff was authorized to proceed with the design and pricing of the solar project. Subsequently, the Executive Director authorized the design and bidding for additional parking in the GAT long term parking lot. Mr. Keith stated that the total estimated cost of the expanded parking lot is about $450,000, and the project could be completed before the end of the year, allowing for use during season.

Mr. Keith presented the updated solar canopy project design that will be more in line with the remodeled GAT and explained the differences from the original configuration. He said that the redesign will allow us to add the AOB to the solar panel service. Mr. Keith said that we may be eligible under the Inflation Reduction Act for a 30% reimbursement for the solar portion and eligible for an additional 10% for using U.S. steel. He said that the information on how to apply for this won't be available until February, but AGT, our vendor, was confident that we will qualify for 40%.

A question-and-answer period followed regarding the payback. Mr. Keith stated that there will be electric vehicle charging stations in the long-term parking area and that the project is designed to withstand a Category 5 hurricane. He added that the long-term parking lot is out to bid right now and anticipates bringing it back to the Board for approval in October.

F. PUBLIC COMMENTS

Mr. Stephen Myers, 2087 Imperial Circle, Naples and Vice President of Elite Jets, commented on the way in which noise metrics are documented and utilized. He expressed concern that operators who make their best efforts to fly within the non-curfew hours are being called out as curfew violators when factors such as weather conditions, ground holds or other delays are out of their control. He suggested to come up with a way to use subjective data to create a weighted or balanced measurement, and if the operation is beyond the operator's control, the activity should be counted as an exempt operation. He also suggested another part is missing and that is recognizing the tenants and operators to list all of the operations they decided not to conduct during the curfew hours. He said that Elite Jets puts forth a lot of effort to comply with the voluntary curfew.

Chair Dustin thanked Mr. Myers for his comments and said that he made some very interesting points. Mr. Rozansky stated that Mr. Myers' comments were timely because we are in the process of hiring a noise specialist and we will be developing a more robust Fly Safe Fly Quiet program that would give consideration to some of these other factors that we have not previously measured.

Chair Dustin welcomed Mr. Terry Cavanaugh, one of our recently appointed incoming Commissioners, who was in the audience.

Chair Dustin called for a five-minute recess.

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

1. Committee Appointment

Mr. Rozansky requested the Chair's appointment of Commissioner(s) as Board Liaison(s) to the Noise Compatibility Committee (NCC) and Technical Advisory Committee (TAC). He stated that at the January 2022 Regular Meeting, Commissioner Messer was appointed to serve as Liaison to both the NCC and TAC for calendar year 2022. Since her term ends September 16th, and since we have an upcoming meeting of the TAC, it would be appropriate to appoint a new liaison to those committees.

Chair Dustin said that he has given a lot of thought to this and understands the importance of the experience needed. Given the learning curve of the two new Incoming Commissioners and without any disrespect to Vice Chair Ruppert, who also is well qualified, he appointed Commissioner Cuddihy and asked if she would consider accepting the NCC and TAC Liaison responsibilities. Commissioner Cuddihy said she recognizes how big of a responsibility it is. She said she will have big shoes to fill following Commissioner Messer and said she will give it all of her effort and passion, and do the best she can. She thanked Commissioner Messer for her service and added that she would be calling her.

Since the NCC/TCC Liaison assignment are going to be time consuming, Commissioner Cuddihy requested the Chair to consider appointing other Commissioners to the Audit Committee. Chair Dustin stated that he has considered that and would address it at the next Regular Meeting.

2. Technical Advisory Committee Members

Ms. Cooper requested Board approval of one representative voting member of the Technical Advisory Committee (TAC). At the January 16, 2020, the Board established the TAC, which is specific to the Part 150 Noise Study, and approved ESA's recommendations for the membership. Amongst those members was a member from the Fifth Avenue Business Improvement District (BID). She reported that Mr. Bruce Barone has resigned from the BID, and he has endorsed Mr. Joseph McCabe, BID Treasurer to fill the role. Ms. Cooper noted that after review and analysis, ESA is recommending that the Board appoint Mr. McCabe as the new BID representative on the TAC.

A question-and-answer period followed.

Commissioner Cuddihy moved Board approval to appoint Mr. McCabe as the new BID representative on the TAC. Vice Chair Ruppert seconded. The motion passed unanimously 5-0.

3. Resolution 2022-11, Adoption of Fiscal Year 2023 Operating and Capital Budget

Mr. Warriner requested authorization for the Chair to execute Resolution 2022-11, adopting the Fiscal Year 2023 Operating and Capital Budget.

Mr. Warriner stated that he presented the first draft budget in June and an updated budget in August to the Board. On September 12th he said staff prepared a draft budget overview for the Joint Workshop Meeting of the Naples City Council and the NAA Board, but it was not presented since City Council cut the meeting short.

Mr. Warriner presented the final draft budget and noted a minor change to the operating expense assumptions.

A question-and-answer period followed. In response to Vice Chair Ruppert's question regarding our responsibility to go back to City Council to provide an in-person presentation, Mr. Rozansky stated that the Mayor commented at the Joint Workshop that Council has all the materials, and if they have any questions, they could follow up.

Vice Chair Ruppert moved Board approval for the Chair to execute Resolution 2022-11, adopting the Fiscal Year 2023 Operating and Capital Budget. Commissioner Cuddihy seconded. The motion passed unanimously 5-0.

4. Renew Certain Insurance Policies in an Amount Not to Exceed $779,743

Mr. Warriner requested Board approval for the Executive Director to renew the insurance policies listed in the briefing paper in an amount not to exceed $779,743 through Alliant Insurance Services, Inc., for the 2022-2023 policy year.

He introduced Mr. Felipe Garcia, Vice President of Alliant, who provided a summary of the state of the market and each of the insurance coverages. He noted that overall premiums increased $168,828 or 28% from the prior year primarily due to higher insured property values based on a recent appraisal and a higher amount of payroll for workers compensation due to the additional new hires over the past year.

Mr. Garcia noted that our current airport liability coverage has been with Chubb for the last three years under a three-year rate guarantee. Because there are currently two open claims that Chubb is processing, including one for $1 million, Chubb proposed renewing our coverage for an annual premium of $82,931, but raised our deductible from $5,000 to $25,000. Mr. Garcia and staff recommended to continue with Chubb, despite being offered a lower premium from AIG of $75,750, because of the outstanding claim and to show commitment to our partnership.

A question-and-answer period followed.

Commissioner Lenhard moved Board approval for the Executive Director to renew the insurance policies listed in the briefing paper in an amount not to exceed $779,743 through Alliant Insurance Services, Inc., for the 2022-2023 policy year. Vice Chair Ruppert seconded. The motion passed unanimously 5-0.

5. North Road Terminal Improvements Project – Phase 1 – SchenkelShultz Architecture Discovery Not to Exceed $119,868

Mr. Keith requested Board authorization for the Executive Director to execute a contract with SchenkelShultz Architecture for the North Road Terminal Improvements Project, Phase 1 – Discovery in an amount not to exceed $108,971 plus a 10% contingency for a total of $119,868.

Mr. Keith stated that at the June 2022 meeting, the Board selected SchenkelShultz Architecture as the Architect for the North Road Terminal Improvements Project, following a competitive selection process. Staff is recommending a three-phase approach with a discovery phase, design and bidding phase, and a construction phase. He provided the items included in the design phase. He noted that there is currently $4 million included in the FY 2023 budget for the design and construction of this project.

A question-and-answer period followed.

Commissioner Cuddihy moved Board approval for the Executive Director to execute a contract with SchenkelShultz Architecture for the North Road Terminal Improvements Project, Phase 1 – Discovery in an amount not to exceed $119,868, as presented by Mr. Keith. Commissioner Messer seconded. The motion passed unanimously 5-0.

6. North Road Terminal Improvements Project – Phase 1 – Suffolk Discovery Not to Exceed $55,000

Mr. Keith requested Board authorization for the Executive Director to execute a contract with Suffolk Construction Company for the North Road Terminal Improvements Project, Phase 1 – Discovery in an amount not to exceed $50,000, plus a 10% contingency for a total of $55,000.

Mr. Keith stated that Suffolk Construction was selected at the June regular meeting as the Construction Manager at Risk (CMAR) for the North Road Terminal Improvements Project following a competitive selection process. He said the discovery phase will include design considerations, surveying, soil borings and review of permit issues, allowing the CMAR to consult with the architect to produce schematic drawings and a preliminary cost estimate.

Commissioner Lenhard moved Board approval for the Executive Director to execute a contract with Suffolk Construction Company for the North Road Terminal Improvements Project, Phase 1 – Discovery in an amount not to exceed $55,000, as presented by Mr. Keith. Vice Chair Ruppert seconded. The motion passed unanimously 5-0.

7. Annual Horticultural Maintenance Services to Crawford Landscaping Group, LLC in an Amount Not to Exceed $257,520

Mr. Brown requested Board authorization of Bid #22-2214 to Crawford Landscaping Group, LLC and authorization for the Executive Director to execute a service agreement for annual horticultural maintenance services in an amount not to exceed $220,020 plus a contingency of $37,500 for tasks that will be on demand and billed at a time and materials rate. He provided a summary of the bid process and presented an aerial of the proposed new service area, which adds 14 acres from the

previous agreement. He noted that staff was pleased with Crawford, and they were the lowest bidder.

A question-and-answer period followed.

Commissioner Messer moved Board approval of Bid #22-2214 to Crawford Landscaping Group, LLC and moved Board approval for the Executive Director to execute a service agreement for annual horticultural maintenance services in an amount not to exceed $257,070, as presented by Mr. Brown. Commissioner Cuddihy seconded. The motion passed unanimously 5-0.

8. FY 2023 Strategic Plan Scorecard and Strategic Plan Incentive Program

Ms. Cooper requested Board approval of the FY 2023 Strategic Plan Scorecard and revisions to the Strategic Plan Incentive Program.

She stated that the Strategic Plan is the roadmap for the NAA, and the Strategic Plan Scorecard is a tool for reporting the achievement of the goals and objectives. It is a summary of the work staff intends to undertake during the fiscal year.

Ms. Cooper and Mr. Rozansky highlighted some of the changes to the Scorecard in Goal 1 pertaining to capital projects over $1 million and select capital projects under $1 million. Vice Chair Ruppert said he suggested to include projects/initiatives under $1 million that have visibility to the community because the objective is to develop facilities that reflect the character and needs of the community.

Under Goal 2, Commissioner Cuddihy said she suggested staff include a measure under the initiative, Part 150 Noise Study (NEM and NCP), to submit final proposed alternative measures that fall outside the Part 150 Study to the FAA (not including FAA review, approval, or implementation).

Mr. Rozansky asked if there was any Board discussion regarding the proposed restructure of the FY 2023 Incentive Plan. He said this plan ties indirectly to the next item on the agenda, the amendment to the Executive Director's employment agreement, and Mr. Rozansky's desire for his agreement to be less about salary and more about incentive. He reminded the Board that the Incentive Plan is by no means a guarantee.

Vice Chair Ruppert commented that he didn't have an objection to the concept of increasing the compensation level for the incentive plan and no objection in understanding the caveats that Mr. Rozansky outlined. He stated that he would like to discuss it publicly and asked if the percentages outlined in the briefing paper are too big of a jump in one year. Commissioner Messer asked if we looked at best practices, how is this structure positioned in our industry and relative in terms of other company's plans.

Mr. Rozansky said the restructured plan came from a discussion he had with Chair Dustin. He said there are a couple of examples of incentive-based programs at other airports and industries but most of them are tied to airline service incentives or financial performance. He said it didn't seem appropriate to have an incentive based on financial performance because we are not a profit motivated business. In his research, Mr. Rozansky stated some of the staff who came from the private sector had certain annual bonuses that exceeded the proposed thresholds. He commented

that he is voluntarily giving up base salary and in the future, compounding base salary in his employment agreement. Chair Dustin explained the proposed plan was also for the Leadership Team to have a more performance-based program rather than a salary-based program and this would be a transition to that. Commissioner Cuddihy pointed out that as you look through the Scorecard, there is absolutely no goal to grow the airport, and the compensation is not based on that. Mr. Rozansky responded that we don't control the demand to and from Naples; our scope of responsibilities is to control the level of service, the condition of the facilities and the safety of the facilities.

Commissioner Messer moved Board approval of the FY 2023 Strategic Plan Scorecard and revisions to the Strategic Plan Incentive Program. Commissioner Cuddihy seconded. The motion passed unanimously 5-0.

9. Fourth Amendment to Employment Agreement with the Executive Director

Mr. Rozansky stated that following the Executive Director's annual performance review during the August regular meeting, there was Board consensus for Chair Dustin to negotiate certain revisions to the Executive Director's Employment Agreement based on comparable market data and present revisions to the Board for consideration. Because the NAA has a cost-of-living adjustment and merit-based performance structure, Mr. Rozansky said that this structure was unsustainable to continue on that trajectory and expressed a desire for his agreement to be less base salary focused and more incentive focused. He said he provided the Board with some comparative information that capture airports across the country in their executive positions. He noted that the briefing paper proposed an adjustment to the car allowance from $700 to $800 per month, but that he was already receiving that amount and no further adjustments were being proposed. He said the other revisions include a modest increase to retirement contributions from 20% to 25% of base salary and a three-year retention incentive from 20% to 25% of base salary.

The other portion is a cap on the combined merit and cost of living pay – a procedure that would apply to the Executive Director and any other member of the management team who reaches 75% of the pay band for their position.

Chair Dustin stated that he believes the revisions make sense. He said the obvious that needs to be stated is if we didn't reduce the automatic inflation, we may be in a situation where our Executive Director would be ahead of our City Manager and County Manager in terms of wages, finding ourselves with a political problem.

Commissioner Lenhard moved Board approval for the Chair to execute a Fourth Amendment to Employment Agreement with the Executive Director. Commissioner Cuddihy seconded. The motion passed unanimously 5-0.

II. NEW BUSINESS

There was no new business.

I. OLD BUSINESS

1. Noise Compatibility Committee/Technical Advisory Committee Update

Commissioner Messer said the Noise Compatibility Committee (NCC) and the Technical Advisory Committee (TAC) last met on June 2nd and reported on that meeting during the Board meeting of June 16th. She announced that earlier in the meeting, Mr. McCabe was appointed to the Technical Advisory Committee to represent the 5th Avenue South Business Improvement District and thanked Mr. Barone for his service. She said that Ms. Stacey Nichols, the Naples Tower Manager, is leaving to pursue a new opportunity and be closer to family and that we are hopeful that a TAC representative will be named by RVA soon. Commissioner Messer announced that we just learned that the in-person discussion between staff, Naples Tower, RSW TRACON, Miami Center and other key personnel from the FAA Southern Region to look at what alternatives may be feasible for implementation is tentatively scheduled for October 4th, necessitating the rescheduling of the October 4th TAC meeting. She said that the next meeting of the Noise Compatibility Committee meeting is scheduled for November 3rd and that a Joint Workshop Meeting of the NAA Board and the Naples City Council was held on September 12th at 8:30 a.m. in council chambers.

She stated Mr. Zac Burch, Communications and Community Engagement Manager, is working with the Board, NCC and TAC members to schedule community meetings in the areas they represent and that anyone interested in scheduling a meeting or presentation should contact Mr. Burch at zburch@flynaples.com or at 239-643-0733.

Finally, as her last update as Commissioner, and Board Liaison to the NCC and TAC, Commissioner Messer said that it has been a pleasure to serve the community and she eagerly and confidently looks forward to the successful outcome of the Part 150 Noise Study.

2. NAA Bylaws

At the Chair's request, Ms. Cooper requested Board review and discussion of the NAA Bylaws dated October 15, 2020. She reviewed Article VI, Section 6, of the NAA Bylaws which provides governance rules with respect to all meetings of the Board of Commissioners; and Section 10, Public Committees which provides governance rules with respect to Public Committees such as the Noise Compatibility and Technical Advisory Committees.

The Section 6 provision strongly encourages in-person attendance before allowing commissioners to vote to allow virtual participation. She reviewed the specific quorum requirements. Chair Dustin stated that when he participated virtually at the August meeting, he could not see any of the presentations, he could not see Board members as they made statements and could not read any body language. He added that for the November Board meeting, he has a previous personal engagement and has decided not to attend virtually because it is unfair to the Commission.

Vice Chair Ruppert thanked Chair Dustin for raising this issue and stated he would be in favor of keeping the Bylaws as is. Although he thought the meeting was satisfactory, he prefers the in-person meetings for all the reasons outlined.

Commissioner Cuddihy commented that it is harder on the person attending virtually and that Board members should do everything we can to be in these meetings in person. She stated that we should keep the option open for extraordinary circumstances. Commissioner Lenhard agreed and related to Chair Dustin's experience when he participated by teleconference previously.

Commissioner Messer agreed with the comments and said that she participated once via Zoom and thought it was a terrible experience. She too stated that Board members made a commitment, and each must live up to that commitment.

Chair Dustin said he felt compelled to have the discussion and reconfirmed to keep the current Bylaws in place.

J. LEADERSHIP TEAM REPORT

1. Leadership Team Report

Vice Chair Ruppert reinforced the benefit of the Part 139 certificate and the training of Operations, FBO and training staff members. He said that it is a critical and important element in the airport's operations.

At Chair Dustin's request, Mr. Rozansky commented about a EVTOL demonstration that was presented at the Business Aviation Buzz meeting held last month. He said that the video showed two recreational-type drones making the same noise, and then the provider showed a new EVTOL in development that made no sound. Mr. Rozansky commented that he was pleasantly surprised and stated that if the technology could be scaled up to today's aircraft, it would be a game changer.

Commissioner Lenhard commented about the percentage of fiscal year to date 2022 comments in the Aircraft Operations and Curfew Compliance Summary and how the percentage of the noise comments doesn't reflect the actual noise problem.

K. FINANCIAL REPORTS

1. Financial Summary

Mr. Warriner presented the August financials. He said that the year-to-date change in net position before capital contributions was favorable to budget by approximately $3,299,273.

Commissioner Messer moved acceptance of the August financials. Vice Chair Ruppert seconded. Motion passed unanimously 5-0.

L. COUNSEL'S REPORT

1. Counsel's Report

Mr. Owens stated that there is no pending litigation or other material legal matters to discuss.

M. PUBLIC COMMENTS (5-minute limit)

Mr. Bob Burns, 720 Broad Avenue North, Naples, requested that staff provide at the October or a future meeting, more information on the FAA arrival and departure charts and how they are determined at the airport for pilots. Mr. Rozansky explained that the departures are more a matter of a procedure established by RSW and our Tower rather than being a predetermined procedure for pilots to follow. Mr. Rozansky stated that this has been talked about in the past but one of the risks is having flights on a rail (or on a densely concentrated flight path), just like today of arrivals in that they are exact in their approach. He added that a presentation could be given in the future.

N. CORREPONDENCE/COMMISIONER COMMENTS & REQUESTS/MEETINGS

Vice Chair Ruppert stated that he ran for a Commissioner seat twice. The first time was in 2018, and the two people chosen were Commissioner Messer and Commissioner Lenhard. He said he sat in the audience fairly religiously prior to running for a seat on the NAA Board. He admitted that he rarely likes getting beat by anyone at anything but fully understood why Council made the best choice. After that, he decided to spend the next three years sitting in the audience every month to really get up to speed on airport matters so he would have a better chance in getting this job because he wanted to be part of this great group.

Chair Dustin recognized Commissioner Lenhard for his five years on the Board as Vice Chair, Chair and as a member and Chair of the Consultant Selection Committee, spending countless hours ensuring that the NAA has the best vendors, contractors, and consultants.

Chair Dustin recognized Commissioner Messer for her eight years on the Board, serving as Board Chair, NCC and TAC Liaison, and member of the Audit Committee and Consultant Selection Committee. He said she has been a tireless advocate for both the aviation community and the residents of Naples.

Both Commissioners were presented a plaque in appreciation for their contributions.

Mr. Rozansky stated that it was a privilege and honor to serve Commissioner Lenhard and Commissioner Messer.

O. ADJOURNMENT

With no further business, the meeting adjourned at 12:53 p.m.

Christopher A. Rozansky
Secretary

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

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, September 15, 2022
8:30 a.m.

Commissioner Kerry C. Dustin – Chair
Commissioner Rick Ruppert – Vice Chair, Consultant Selection Committee Chair, Audit Committee Member
Commissioner Michael Lenhard – Audit Committee and Consultant Selection Committee Member
Commissioner Donna M. Messer – NCC and TAC Liaison
Commissioner Rita Cuddihy – 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. August 18, 2022 Regular Meeting Minutes

E. PRESENTATIONS AND TIME CERTAIN ITEMS

1. Joint City/NAA Workshop Follow Up
2. Recognition of Retiring Employee
3. Security Blue Lightning Initiative
4. Design Build Services for the Solar Canopy Installation and the Expansion of the Long-Term Parking Lot Expansion at the General Aviation Terminal (GAT)

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

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

1. Committee Appointment
2. Technical Advisory Committee Members
3. Resolution 2022-11, Adoption of Fiscal Year 2023 Operating and Capital Budget
4. Renew Certain Insurance Policies in an Amount Not to Exceed $779,743
5. North Road Terminal Improvements Project – Phase 1 - SchenkelShultz Architecture Discovery Not to Exceed $119,868
6. North Road Terminal Improvements Project – Phase 1 - Suffolk Discovery Not to Exceed $55,000
7. Annual Horticultural Maintenance Services to Crawford Landscaping Group, LLC in an Amount Not to Exceed $257,520
8. FY 2023 Strategic Plan Scorecard and Strategic Plan Incentive Program
9. Fourth Amendment to Employment Agreement with the Executive Director

H. NEW BUSINESS

I. OLD BUSINESS

1. Noise Compatibility Committee/Technical Advisory Committee Update

2. NAA Bylaws

J. LEADERSHIP TEAM REPORT

1. Leadership Team Report

K. FINANCIAL REPORTS

1. Financial Summary

L. COUNSEL'S REPORT

1. Counsel's Report

M. PUBLIC COMMENTS (5 minute limit)

N. CORRESPONDENCE/COMMISSIONER COMMENTS & REQUESTS/MEETINGS

1. Correspondence/Comments/Requests/Meetings

2. Recognition of Outgoing Commissioners

O. ADJOURN