

JANUARY 16, 2025

A Joint Meeting of the Board of Port Commissioners of the Lee County Port Authority, with the Airports Special Management Committee, was held on this date in the Training and Conference Center at Southwest Florida International Airport (RSW), with the following members:

LEE COUNTY PORT AUTHORITY

Mike Greenwell, Chairman
Kevin Ruane, Vice-Chairman
Cecil Pendergrass
David Mulicka
Brian Hamman

AIRPORTS SPECIAL MANAGEMENT COMMITTEE

Robbie Roepstorff, Chair
Noel Andress, Vice-Chair – *Absent*
John Goodrich
Fran Myers
Randy Krise

LEE COUNTY ATTORNEY:

Richard Wm. Wesch, Port Attorney
Andrea Fraser, Deputy Port Attorney
Robert Holborn, Asst. Port Attorney

REGIONAL MEMBERS:

Collier County Representative R. Scott Cameron – *Absent*
Charlotte County Representative Dana W. Carr – *Absent*

ON FILE IN MINUTES OFFICE:

- MONTHLY PROJECT SUMMARY DEVELOPMENT REPORTS – November 2024 and December 2024
- PROCUREMENT STATUS REPORT – January 9, 2025

The Chairman called the meeting to order at 1:05 p.m. The Invocation was given by Pastor Van Garner, Church of the Nazarene, followed by the Pledge of Allegiance.

ANNUAL REORGANIZATION OF THE LEE COUNTY BOARD OF PORT COMMISSIONERS

Chairman Greenwell introduced Lee County Clerk of Courts and Comptroller, the Honorable Kevin C. Karnes, to officiate the FY24-25 Reorganization of the Lee County Board of Port Commissioners. Mr. Karnes went on to review the voting process in accordance with the Administrative Code AC-1-3, Section IV, Rule 4.02, pointing out that a second would not be necessary, and opened the floor for nominations for Chairman. Commissioner Hamman nominated Commissioner Ruane. Mr. Karnes requested a roll call vote and Commissioner Ruane was unanimously elected.

Mr. Karnes then turned the floor over to the newly-elected Chair. Chairman Ruane then called for nominations for Vice-Chairman. Commissioner Hamman nominated Commissioner Pendergrass. Chairman Ruane requested a roll call vote and Commissioner Pendergrass was unanimously elected Vice-Chairman.

PRESENTATION: *HONORING FRAN MYERS*

Commissioner Ruane read a Ceremonial Resolution into the record stating that Fran Myers would be retiring on Thursday, January 16, 2025. Fran has served on the Airports Special Management Committee for more than thirty-one years and is the longest-serving member on the Committee. Fran Myers has helped the airport celebrate many milestones, anniversaries, completed projects/enhancements and air service announcements. Fran's dedication to the airport community, positive attitude and tireless work to promote tourism in Southwest Florida, as well as outstanding loyalty to the Lee County Port Authority will be greatly missed.

ANNOUNCEMENTS *STAFF RECOGNITION*

Lee County Port Authority Executive Director Steven Hennigan introduced Steven Roque who is the new Deputy Executive Director of Aviation and Chief Operating Officer. He brings more than twenty years of aviation, leadership and stakeholder development experience to the Lee County Port Authority. Welcome Steve!

ANNOUNCEMENTS *NOMINATION OF RAY SANDELLI*

Ray Sandelli was nominated to the Airport Special Management Committee (ASMC)

Public Comment: The Chairman called for public comment and there were no speakers.

Vote: Commissioner Mulicka moved approval to nominate Ray Sandelli to the Airport Special Management Committee (ASMC), seconded by Commissioner Hamman, called and carried.

RECAP

DEFERRED:

- Item A-20: Approve an extension of AtkinsRealis' contract for Construction Administration/Engineer of Record services for the completion of the RSW Terminal Expansion Phase I project.
- Item A-21: 1) Approve a contract extension with Manhattan to March 31, 2029 for the completion of the RSW Terminal Expansion Phase I project for \$307,653,291; and 2) approve an increase to the Total Project Budget by \$346,792,083.
- Item A-22: Approve a Contract Extension with EG Solutions, Inc. in the amount of \$12,580,296.73 to perform Construction Engineering & Inspection services for the Terminal Expansion Phase I project at the Southwest Florida International Airport (RSW).
Board Discussion: Commissioner Hamman asked to have a discussion regarding the RSW Terminal Expansion. However, County Attorney Richard Wm. Wesch advised that the conversation should be deferred since the Board already voted to defer the items. There was extensive Board discussion regarding how far behind the project is. Each Commissioner voiced their displeasure with the current situation.
Public Comment: The Chairman called for public comment and there were no speakers.
Vote: Commissioner Ruane moved approval, seconded by Commissioner Hamman, called and carried.

PUBLIC COMMENT ON AGENDA ITEMS

The Chairman called for public comment on the Consent Agenda and there were no speakers.

The following Consent Agenda items were pulled for discussion:

Commission Greenwell – None
 Commissioner Ruane – None
 Commissioner Pendergrass – None
 Commissioner Mulicka – C-13
 Commissioner Hamman – None

The Chairman called for a motion to approve the balance of the Consent Agenda and Commissioner Greenwell so moved, seconded by Commissioner Hamman, called and carried.

CONSENT AGENDA

ADMINISTRATION Brian McGonagle

1. Request Board approve the minutes for the following meetings of the Board of Port Commissioners: November 7, 2024, December 3, 2024.
Term: N/A
Funding Source: N/A
Vote: Commissioner Greenwell moved approval, seconded by Commissioner Hamman, called and carried.
2. Lee County Ordinance #9018 and Section 15.1 of the LCPA Procurement Manual requires preparation of a report be filed with the Board quarterly containing an accounting of expenditures authorized by the Ordinance. Expenditures for the 4th quarter of FY2425 (July to September) were \$6,577.58.
Term: N/A
Funding Source: Net revenues from Lee County Port Authority Operating Funds
Vote: Commissioner Greenwell moved approval, seconded by Commissioner Hamman, called and carried.
3. Approve an Agreement with Carahsoft Technology Corporation for the purchase of Trustlayer software and support for a three year term totaling \$132,959.17.
Term: 01/09/202501/08/2028
Funding Source: General Airport operating revenues collected during the normal operations of the Airport, account string VF5132541200.505280 Information Technology
Vote: Commissioner Greenwell moved approval, seconded by Commissioner Hamman, called and carried.
4. 1) Approve a Three Year Agreement between the Lee County Port Authority and PRE, LLC (A Pangiam Company) for maintenance of biometric exit hardware and software at the Southwest Florida International Airport in the amount of \$127,303.85. 2) Approve utilization of this Sole Source

Agreement to authorize purchases from PRE, LLC (A Pangiam Company) on an as needed basis in accordance with the department's annual approved budget for the term of the agreement including any renewal periods.

Term: 10/01/2024 to 09/30/2027

Funding Source: General Airport Operating Revenue Fund VD5131741200.503460, Information Technology

Vote: Commissioner Greenwell moved approval, seconded by Commissioner Hamman, called and carried.

AVIATION Mark Fisher

5. Request Board Approve the RSW Fuel Company LLC and RSW Airport Fire Department Equipment Funding Agreement.

Term: This agreement is for a onetime donation; future donations, if any, must be memorialized in a separate agreement.

Funding Source: No funding required.

Vote: Commissioner Greenwell moved approval, seconded by Commissioner Hamman, called and carried.

6. Approve a project hardening seven (7) airfield perimeter gates at Southwest Florida International Airport for a not-to-exceed amount of \$442,454.53, to Global Grab Technologies, piggybacking a competitively solicited contract through the Interlocal Purchasing System (TIPS) RFP 230202 Security Systems Products and Services.

Term: N/A

Funding Source: General Airport Operating Revenues collected during the normal operation of Southwest Florida International Airport. Funds are available in Account String WJ5500041200.503490, Other Contracted Services.

Vote: Commissioner Greenwell moved approval, seconded by Commissioner Hamman, called and carried.

7. Approve the Lee County Multi-Jurisdictional Mutual Aid Agreement between the Lee County Sheriff's Office, the Lee County Port Authority and other Southwest Florida Police Departments.

Term: The agreement shall be in effect from the date of signing through, and including, January 1, 2030.

Funding Source: No funding required

Vote: Commissioner Greenwell moved approval, seconded by Commissioner Hamman, called and carried.

DEVELOPMENT Emily Underhill

8. Request Board authorize a Contract Amendment with Michael Baker International, Inc., in the amount of \$287,064 to perform Design, Permitting and Bidding services for the Employee Lot Expansion project at the Southwest Florida International Airport (RSW).

Term: Contract term expires June 28, 2026.

Funding Source: Net RSW airport revenue from normal operations. Account 20866541234.506510.20

Vote: Commissioner Greenwell moved approval, seconded by Commissioner Hamman, called and carried.

9. Authorize a Contract Amendment with KimleyHorn in the amount of \$175,757.00 providing for project formulation and preferred operational alternative analysis associated with the Rehabilitation of Runway 6/24 & Associated Pavements project at the Southwest Florida International Airport (RSW).

Term: Contract term through November 9, 2028.

Funding Source: Account string 20863041234.506510.70

Vote: Commissioner Greenwell moved approval, seconded by Commissioner Hamman, called and carried.

10. Approve an Agreement and Contract Amendment with PGAL, Inc., for design services in the amount of \$941,716 to perform a Concept Refinement and Alternatives Analysis for the Rental Car Areas Relocation/Expansion & Associated Airport Improvements project at Southwest Florida International Airport (RSW).

Term: Four (4) years.

Funding Source: Net revenue generated by the normal operations of RSW Airport 20859941255.506510.70

Vote: Commissioner Greenwell moved approval, seconded by Commissioner Hamman, called and carried.

11. Request Board approve after the fact emergency repairs to the RSW Rental Car Quick Turn Around underground fuel lines in accordance with the Lee County Port Authority Purchasing Manual; and approve a Release Form and payment by Stantec Consulting Services, Inc. for costs associated with the repairs.

Term: N/A.

Funding Source: Contract Management account string & object code: WJ5422941200.503490

Vote: Commissioner Greenwell moved approval, seconded by Commissioner Hamman, called and carried.

12. Rank qualifications submitted for RFQ #250024 for Construction Manager Services for the RSW Runway 624 & Associated Pavement Rehabilitation project.

Term: N/A

Funding Source: N/A

Vote: Commissioner Greenwell moved approval, seconded by Commissioner Hamman, called and carried.

CONSENT AGENDA ITEM C-13 WAS PULLED FOR DISCUSSION

13. Rank qualifications submitted for RFQ #25-0021 Construction Engineering Inspection Services for RSW Airport Public Safety Building at the Southwest Florida International Airport (RSW).

Term: N/A

Funding Source: N/A

Board Discussion: Commissioner Mulicka asked to have the item pulled for discussion and explanation. Deputy Executive Director of Development, Emily Underhill presented the item stating on June 29, 2023, the Board approved a contract amendment with Schenkel & Shultz to perform design services related to the RSW Public Safety Building project. On March 7, 2024 the Board approved a contract with Halfacre to provide Construction Management services to assist the Lee County Port Authority (LCPA) and Schenkel & Shultz in the timely delivery and successful completion of design related services associated with the project. Since these approvals, the design has progressed and the Port Authority is expected to secure a bid for construction in January 2025 and begin construction in early April 2025. To complete the team, a firm is needed to perform Construction Engineering Inspection Services during the upcoming construction. A Request for Qualifications (RFQ) was advertised on July 30, 2024 for Construction Engineering Inspection Services to support the RSW Public Safety Building project. On September 11, 2024 RFQ submittals were due, however no submittals were received by the LCPA. As a result, another Request for Qualifications (RFQ) was advertised on October 1, 2024 for Construction Engineering Inspection Services to support the RSW Public Safety Building project.

On August 30, 2024 three (3) RFQs were submitted from the following firms:

- American Infrastructure Development, Inc.
- Hasco, Inc.
- Michael Baker International, Inc.

A due diligence review of the submittals performed by the Port Authority's Procurement Department revealed that the firm, Hasco Inc. was deemed non-responsive for failure to meet material requirements of the Request for Qualifications. A publicly noticed Staff Evaluation Committee meeting was held on November 6, 2024 to develop Staff summaries, review comments and recommendations for the Airports Special Management Committee (ASMC) for their consideration. To assist the ASMC in their evaluation and ranking of firms, Staff has prepared the attached information summarizing each of the responding LOQs. The Staff Evaluation Committee scored the RFQs as follows:

1. Michael Baker International, Inc.
2. American Infrastructure Development, Inc.

As the project is fully designed and currently advertised for bid, and since CEI services is an ancillary function to the overall project completion; at the December 17, 2024 ASMC meeting, Port Authority Staff recommended the ASMC forgo hearing oral presentations by the two firms; endorse the scoring by Staff; and rank the firms as noted below.

1. Michael Baker International, Inc.
2. American Infrastructure Development, Inc.

At this same meeting, the ASMC concurred with Staff recommendation. Therefore, Staff requests the Board's concurrence with the ASMC ranking and direct Staff to begin contract negotiations with the top ranked firm. Commissioner Mulicka asked if Staff thought it was wise

to move forward with another construction project when there are already projects that are behind schedule. Ms. Underhill stated that this is a fairly simple project compared to the others that the Commissioner is referring to.

Public Comment: The Chairman called for public comment and there were no speakers.

Vote: Commissioner Mulicka moved approval, seconded by Commissioner Greenwell, called and carried.

ADMINISTRATIVE AGENDA

ADMINISTRATION Brian McGonagle

14. Request Board approve the Actual Fiscal Year 23-24 Rates and Fees for Southwest Florida International Airport and any airline settlement and revenue sharing, as required by the Airline Airport Use and Lease Agreement

Term: N/A

Funding Source: General airport operating revenues collected during the normal operation of the Airport, Fund 41200

Board Discussion: Deputy Executive Director of Administration and Chief Financial Officer, Brian McGonagle presented the item to the Board stating 2024 was a record fiscal year.

Public Comment: The Chairman called for public comment and there were no speakers.

Vote: Commissioner Greenwell moved approval, seconded by Commissioner Hamman, called and carried.

15. Request Board approve a First Amendment to "Airline-Airport Use and Lease Agreement with Delta Air Lines, Inc."

Term: From October 1, 2024, to September 30, 2034.

Funding Source: N/A

Board Discussion: Deputy Executive Director of Administration and Chief Financial Officer, Brian McGonagle presented the item to the Board stating that the amendment does require Board approval.

Public Comment: The Chairman called for public comment and there were no speakers.

Vote: Commissioner Greenwell moved approval, seconded by Commissioner Hamman, called and carried.

16. Request Board approve use of the pricing and terms of Omnia/Mesa, AZ Contract 202405601 for Information Technology Solutions & Services to authorize purchases from CDW Government, LLC on an as needed basis in accordance with the department's annual approved budget for the term of the agreement including any renewal periods. Individual purchases in excess of Board level authorization (currently \$100,000) will be presented to the Board of Port Commissioners for approval. In addition, request the Board approve the purchase of VMWare software through 202405601 in the amount of \$398,208.00 for a three year term, from CDW Government, LLC.

Term: From execution of agreement until 07/01/2028 with three additional two year (2) year options until 07/01/2034.

Funding Source: General Airport operating revenues collected during the normal operations of the Airport, account string VF5132541200.505280 Information Technology

Board Discussion: Deputy Executive Director of Administration and Chief Financial Officer, Brian McGonagle presented the item to the Board stating this is a renewal as the contract with Omnia/Mesa, AZ expires next month. Mr. McGonagle stated if there is an item over the agreed \$100,000, it will be brought back before the Board for approval.

Public Comment: The Chairman called for public comment and there were no speakers.

Vote: Commissioner Hamman moved approval, seconded by Commissioner Greenwell, called and carried.

DEVELOPMENT Emily Underhill

17. Approve a Contract between the Port Authority and Parsons Transportation Group, Inc. to provide Project Support Services associated with the Terminal Expansion Phase I Project at the Southwest Florida International Airport (RSW) in the amount of \$3,600,876.60.

Term: Five (5) years

Funding Source: Revenue from normal RSW Airport Operations, Short term financing obtained to cover immediate funding needs, and anticipated funds from issuing General Airport Revenue Bonds (GARBs).

Presentation: Deputy Executive Director of Development, Emily Underhill presented the item to the Board stating previously, Port Authority Staff identified the need to supplement the Professional Consultant Team that is engaged with the construction delivery of the RSW Terminal Expansion Phase I project. As a result, in July 2024, the LCPA initiated a Request for Qualifications to perform Project Support Services for the RSW Terminal Expansion Phase I

project. Some of the duties that may be assigned to this entity include: acting as an extension of Staff, performing schedule analyses, cost estimating, claims review, invoicing review, construction observation and documentation, meeting attendance, contract interpretation, change order analyses, specialty consultant reviews, project controls, forensic analyses, operational readiness and activation, construction contract auditing, and other contract administration services associated with the Terminal Expansion Phase I project. At the conclusion of the solicitation process, at the November 7, 2024 meeting, the Board selected Parsons Transportation Group, Inc. as the top ranked firm to perform Project Support Services for the Terminal Expansion Phase I project and authorized Staff to begin contract negotiations. Since that time, Staff has negotiated a professional services agreement with Parsons Transportation Group, Inc. to provide Project Support Services. For an initial effort, Staff has also negotiated a scope of work to perform several tasks (listed below) to be completed serving as an extension of Port Authority Staff.

- Task 1 – Inventory and Review of Existing Information
- Task 2 – Monthly Project Update
- Task 3 – Critical Path Analysis
- Task 4 – Audit Contracts & Processes
- Task 5 – Construction Phase of Operations Plan

The scope of work with Parsons Transportation Group totals \$3,600,876.60 with Parsons Transportation Group fees equal \$3,005,876.60; with the remaining \$360,000 (10%) for a DBE/WBE/MBE sub-consultant, and \$235,000 (6.5%) for a non-minority sub-consultant. As with all Port Authority Development contracts, all tasks are contingent on the availability of funds and the issuance of a written Task Authorization in accordance with the Board-approved contract, and as approved by FDOT and FAA, as required. Only tasks authorized to begin and subsequently performed can be billed by and paid to the Consultant. Fees associated with these tasks will be taken from available monies within the established Board approved Total Project Budget.

Board Discussion: Commissioner Mulicka inquired if the Port Authority Staff has already been doing the scope of work mentioned in the request for approval or if they are being added in order to complete the aforementioned scope of work. Ms. Underhill stated that Port Authority Staff has not been doing the construction auditing or the construction operations, which are both new to her department. Staff has however, been working on monthly reports and some analyses of the critical path schedule. Commissioner Pendergrass asked who the consultant team would be reporting to and Ms. Underhill stated that they would be reporting to her team. He asked if there was something the group found to be an issue or something negative, what would happen. She stated that Staff would take action on the issue per their recommendation and make improvements as needed. Commissioner Mulicka asked what advantages the group brings, regarding the recommended scope of work. Executive Director Steve Hennigan state that it is very prevalent for large airports to bring in companies early in the design who are embedded in the project to help supplement Staff because the projects are so large and the depth of knowledge is so expansive that it can be a huge asset to the airport. Commissioner Pendergrass asked how long it would take for the group to get up to speed and Ms. Underhill stated that it would take approximately six months for them to go through all the information. Ms. Underhill stated the group is not being hired to accelerate the project, they are being hired to assist in providing personnel the assistance to manage different activities. Airport Special Management Committee Chair Robbie Roepstorff stated that the ASMC had a presentation back in November 2024 and heard all the qualifications from the different groups. The ASMC ranked the groups and then presented Staff with their recommendation. Airport Special Management Committee member Fran Myers stated that when the Committee interviews the different groups, they are very thorough with their interview process.

Public Comment: The Chairman called for public comment and there were two speakers.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Hamman, called and carried.

18. Accept a State Grant (Amendment to the Public Transportation Grant Agreement, Financial Project Nos. 44198119401 and 44198119402) in the amount of \$11,448,312 from the Florida Department of Transportation for the Terminal Expansion at Southwest Florida International Airport.

Term: N/A

Funding Source: N/A

Board Discussion: Deputy Executive Director of Development, Emily Underhill presented the item to the Board stating as a result of continued coordination between the Lee County Port Authority (LCPA) and Florida Department of Transportation (FDOT) District One Staff, an Amendment to the Public Transportation Grant Agreement, Financial Project Nos. 441981-1-94-01 and 441981-1-94-02, has been secured. This Amendment adds \$11,448,312 in state funds in FY2024/2025 to be used towards the Terminal Expansion project. Lee County Port Authority

Staff continues to work with FDOT to program additional funds to reduce the LCPA's costs associated with this project. This brings FDOT's participation to date to \$66,346,435. These grant funds can be applied to either the RSW Terminal Expansion Phase 1 (consolidated checkpoint) or Phase 2 (Concourse E).

Public Comment: The Chairman called for public comment and there were no speakers.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

RESOLUTION No. 25-01-07PA

19. Request Board authorize Executive Director to execute on behalf of the LCPA the Agreement for a Federal Grant from the Federal Aviation Administration in the amount of \$10,000,000 for the Terminal Expansion II – Gates (Concourse E) at Southwest Florida International Airport.

Term: N/A

Funding Source: N/A

Board Discussion: Deputy Executive Director of Development, Emily Underhill presented the item to the Board stating In July 2024, LCPA submitted an Airport Terminal Project Application for the Terminal Expansion II – Gates (Concourse E) project at Southwest Florida International Airport (RSW). In October 2024, the Federal Aviation Administration (FAA) notified LCPA that the Terminal Expansion II – Gates (Concourse E) project was selected for award under the Bipartisan Infrastructure Law (BIL) Airport Terminal Program (ATP). As a result, LCPA Staff has been working closely with FAA staff to secure a grant agreement in the amount of \$10,000,000 to be used towards the construction of Passenger Boarding Bridges under this project. LCPA anticipates a grant agreement from FAA sometime in January. FAA has requested that LCPA execute the Agreement as soon as possible. In order to accommodate this request, the Executive Director is requesting authorization to execute the Grant Agreement on behalf of the LCPA. Subsequent to the Executive Director's execution, the grant will be presented to the Board for ratification and approval.

Public Comment: The Chairman called for public comment and there were no speakers.

Vote: Commissioner Greenwell moved approval, seconded by Commissioner Hamman, called and carried.

PER THE RECAP AGENDA ITEM A-20 WAS DEFERRED BY THE EXECUTIVE DIRECTOR

- ~~20. Approve an extension of AtkinsRealis' Contract for Construction Administration/Engineer of Record services for the completion of the RSW Terminal Expansion Phase I project.~~

~~**Term:** Task for Administration/Engineer of Record services expires.~~

~~**Funding Source:** Revenue from normal RSW Airport Operations, Short term financing obtained to cover immediate funding needs, and anticipated funds from issuing General Airport Revenue Bonds (GARs).~~

PER THE RECAP AGENDA ITEM A-21 WAS DEFERRED BY THE EXECUTIVE DIRECTOR

- ~~21. 1) Approve a Contract Extension with Manhattan to March 31, 2029 for the completion of the RSW Terminal Expansion Phase I project for \$307,653,291; 2) Approve an increase to the Total Project Budget by \$346,792,083.~~

~~**Term:** Extends contract time to March 31, 2029.~~

~~**Funding Source:** Revenue from normal RSW Airport Operations, Short term financing obtained to cover immediate funding needs, and anticipated funds from issuing General Airport Revenue Bonds (GARs).~~

PER THE RECAP AGENDA ITEM A-22 WAS DEFERRED BY THE EXECUTIVE DIRECTOR

- ~~22. Approve a Contract Extension with EG Solutions, Inc. in the amount of \$12,580,296.73 to perform Construction Engineering & Inspection services for the Terminal Expansion Phase I project at the Southwest Florida International Airport (RSW).~~

~~**Term:** Extends current contract term expiring March 29, 2025 through February 3, 2029.~~

~~**Funding Source:** Revenue from normal RSW Airport Operations, Short term financing obtained to cover immediate funding needs, and anticipated funds from issuing General Airport Revenue Bonds (GARs).~~

WALK ON ITEMS

1. Request Board approve a "Ground Lease of Skyplex Parcel at Southwest Florida International Airport" with Arthrex, Inc.

Term: 40 years, with one option to extend by 10 years

Funding Source: N/A

Board Discussion: Deputy Executive Director of Administration / Chief Financial Officer, Brian McGonagle presented the item to the Board stating Airport, for the development of a warehouse/industrial storage, manufacturing, and distribution facility along with associated office space. The subject parcel is comprised of approximately 44.71 acres of unimproved land, located on the south side of Paul J. Doherty Parkway (“PJD”), just east of the intersection with Skyplex Boulevard. Arthrex plans to develop a warehouse/industrial storage, manufacturing, and distribution facility with approximately 800,000 square feet of floor area, as well as approximately 200,000 square feet of office space. The main points of this proposed lease are as follows:

1. The initial term of the lease will commence on the Effective Date (i.e. the date approved by the Board of Port Commissioners) and will continue until the date before the date that is forty years after the Full Rent Commencement Date. Arthrex shall have one option to extend the term of the lease by ten years.
2. The proposed lease is subject to the condition that the Authority, at its cost, will deliver the parcel to Arthrex in “Shovel Ready” condition which will include among other things, a fully entitled and permitted site; a parcel that is cleared and filled to approximately 8 inches below finished elevation; an independent stormwater management system to serve the parcel; and associated utilities stubbed to the property line. The Authority will have 33 months from the effective date of this lease, to complete the Shovel Ready work and deliver the parcel to Arthrex (the “Delivery Deadline”). 3) Ground Rent will be determined prior to the Delivery Deadline, using market value appraisals, and will incorporate the work performed by the Authority to deliver the parcel in Shovel Ready condition. The appraisal process will also include provisions for annual escalations. 4) Upon the Delivery Deadline, Arthrex will begin paying Development Period Rent equal to twenty percent (20%) of the Ground Rent determined by the appraisals. Beginning on the Full Rent Commencement Date (which will occur no later than 30 months after the Delivery Deadline), Development Period Rent will be replaced with full Ground Rent, and a Fire District Fee equal to 2.5 mills, annually, per dollar of the assessed value of the improvements as determined by the Lee County Property Appraiser. (The Fire District Fee is intended to offset the Authority’s cost of providing fire protection service to the property, and will be terminated if and when the property is annexed by a fire district with ad valorem taxing power.) 5) Once the parcel is delivered to Arthrex in Shovel Ready condition, Arthrex will be responsible for all costs associated with the construction and maintenance of its improvements. The addition of a large scale warehouse/industrial storage, manufacturing, and distribution facility is expected to be an economic benefit to both the region and the airport, and will enhance the value of the Authority’s surrounding Skyplex lands, while also diversifying the airport’s revenue base and increasing its non-aeronautical revenue.

Public Comment: The Chairman called for public comment and there were no speakers.

Vote: Commissioner Hamman moved approval, seconded by Commissioner Greenwell, called and carried.

COMMISSIONERS’ ITEMS

Commissioner Mulicka:

Commissioner Mulicka asked if the Monthly Progress and Accountability Reports are being posted online. Lee County Port Authority Executive Director Steven Hennigan stated that normally he would give the reports verbally at the meeting. Mr. Hennigan stated that he can have the reports posted online moving forward if it is the will of the Board.

Commissioner Ruane:

Commissioner Ruane stated that he has concerns regarding a contract with Ajax for \$82,000,000 that the Board previously approved for construction on the Pine Island Bridge. He stated that the vendor does approximately \$150,000,000 worth of business in the County. The construction on the Pine Island Bridge started at four months and is now at eight months. The project was supposed to be completed by January 31, 2025. Commissioner Ruane stated that he spoke with the Director of the Lee County Department of Transportation, Rob Price in order to find out why the project went from four months to eight months. They also called the Florida Department of Transportation (FDOT) to find out what can be done to expedite the project, since they are the ones funding the project. The Commissioner stated that he is now being told that the project will not be complete until April this year. He stated that Ajax continues to do work in Lee County and since the County is one of their best customers, he thought he would have more satisfaction with their services. The Commissioner stated that he is not proud of the contractor’s track record. He stated that he wanted to bring the issue to everyone’s attention as he has had multiple meetings with the County Attorney, County Manager, Ajax and Rob Price and there still continues to be delays. Commissioner Ruane stated that he was aware that there was going to be a protest at the Pine Island Bridge on Friday, January 17, 2025. County Attorney Richard Wm Wesch

stated that with Board direction, he would be more than happy to review the contract and then provide the Board with a report. He stated if the Board is unhappy with one of their vendors, Staff can explore other options the Board might have. There was Board consensus for the Attorneys office to review the contract and bring back a report to the Board.

COMMITTEE APPOINTMENTS

There were no Committee Appointments.

COMMENTS FROM THE AIRPORT SPECIAL MANAGEMENT COMMITTEE

Airport Special Management Committee Chair Robbie Roepstorff stated that Fran Myers will be very much missed. The US Senate just passed a bill providing US Veterans with service connected disabilities to move to the front of the line for security screening. Frank Myers stated that she was glad to see that the media is present at the meeting.

EXECUTIVE DIRECTOR ITEMS

Lee County Port Authority Executive Director Steven Hennigan reviewed his Executive Director Remarks for the Joint Board Meeting of January 16, 2025.

Item A-21 – Approve a Contract Extension with Manhattan to March 31, 2029 for the completion of the RSW Terminal Expansion Phase I project for \$307,653,291. Manhattan's contract ends on January 31, 2025.

Board Discussion: Lee County Port Authority Executive Director Steven Hennigan is requesting an extension through the end of March 2025 in order to give the Board time to reconvene after being briefed by Staff regarding the increase to the total project budget.

Public Comment: The Chairman called for public comment and there were no speakers.

Vote: Commissioner Ruane moved approval to extend the contract to February 28, 2025, seconded by Commissioner Greenwell, called and carried with Commissioner Pendergrass voting nay.

PORT ATTORNEY ITEMS

Port Attorney Richard Wm. Wesch had no additional items for discussion.

PUBLIC COMMENT ON OTHER MATTERS

The Chairman called for public comment and one citizen came forward to speak.

ADJOURN:

The Chairman adjourned the meeting at 3:00 p.m.

ATTEST:

KEVIN C. KARNES, CLERK

By _____
Deputy Clerk

Chairman, Lee County Port Authority