

JUNE 20, 2024

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
Ray Sandelli – *Absent*
Brian Hamman

AIRPORTS SPECIAL MANAGEMENT COMMITTEE

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

LEE COUNTY ATTORNEY:

Richard Wm. Wesch, Port Attorney
Robert Holborn, Asst. Port Attorney

REGIONAL MEMBERS:

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

ON FILE IN MINUTES OFFICE:

- MONTHLY PROJECT SUMMARY DEVELOPMENT REPORTS – [May 2024](#) and [June 2024](#)
- PROCUREMENT STATUS REPORT – [June 20, 2024](#)
- TOURIST DEVELOPMENT COUNCIL RECAP – [June 13, 2024](#)

The Chairman called the meeting to order at 9:32 a.m. The Invocation was given by Pastor Kyle Strom, Ocean Church, followed by the Pledge of Allegiance.

PUBLIC COMMENT ON AGENDA ITEMS

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

There were no Consent Agenda items pulled for discussion by the individual Commissioners.

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

CONSENT AGENDA

ADMINISTRATION - Brian McGonagle

- Request Board approve the minutes for the following meetings of the Board of Port Commissioners: May 16, 2024 (2)**
Term: N/A
Funding Source: N/A
Vote: Commissioner Ruane moved approval, seconded by Commissioner Hamman, called and carried with Commissioner Sandelli absent.
- Present to the Board for information and filing the Object Code #504015 Expenditure Detail Report for the 2nd quarter of FY23-24 (January through March) as required by Lee County Ordinance #90-18 and section 15.1 of the LCPA Purchasing Manual.**
Term: N/A
Funding Source: Net revenues from Lee County Port Authority Operating Funds.
Vote: Commissioner Ruane moved approval, seconded by Commissioner Hamman, called and carried with Commissioner Sandelli absent.
- Request Board approve a “[First Amendment](#) to Lease of Terminal Space at Southwest Florida International Airport” with G2 Secure Staff, L.L.C.**
Term: Commenced February 1, 2020 Month-to-Month.
Funding Source: N/A
Vote: Commissioner Ruane moved approval, seconded by Commissioner Hamman, called and carried with Commissioner Sandelli absent.
- Request the Board approve a [contract amendment](#) to the Ground Transportation Management System Software Agreement.**
Term: 3 years with 2 one year renewal options (as approved by the BoPC in May).
Funding Source: General Airport operating revenues collected during the normal operations of the Airport, account string VF5132541200.503460 Information Technology.
Vote: Commissioner Ruane moved approval, seconded by Commissioner Hamman, called and carried with Commissioner Sandelli absent.

AVIATION - Mark Fisher

5. Request Board approve a [First Amendment](#) for a three month extension to Contract #7981 with P&T Lawn & Tractor Service, Inc. for Landscaping Services for Lee County Port Authority at Page Field per the same terms and conditions of the existing Contract.
Term: Through September 30, 2024
Funding Source: UH5120041203.503490
Vote: Commissioner Ruane moved approval, seconded by Commissioner Hamman, called and carried with Commissioner Sandelli absent.
6. Request Board approval to piggyback a contract between the Broward County Aviation Department and Telos Identity Management Solutions, LLC for fingerprint-based criminal history records checks and Security Threat Assessment services.
Term: Board approval through August 7, 2025 with two additional one-year renewal options.
Funding Source: WG54201412003.503490.
Vote: Commissioner Ruane moved approval, seconded by Commissioner Hamman, called and carried with Commissioner Sandelli absent.
7. Request the Board authorize LCPA to utilize Amendment #2 of Contract 3116100000-20-NASPO-ACS between the State of Florida Department of Management Services and W.W. Grainger, Inc. as a continued source for the Purchase and Delivery of Facilities Maintenance, Repair, Operations, and Industrial Supplies (MRO).
Term: July 1, 2024 through December 31, 2024.
Funding Source: General airport operating revenues collected from the regular operation of Southwest Florida International Airport and Page Field. Funds are in multiple account strings.
Vote: Commissioner Ruane moved approval, seconded by Commissioner Hamman, called and carried with Commissioner Sandelli absent.
8. Request Board approve piggyback contract #43190000-22-NASPO-ACS with Motorola Solutions Inc/EMCI Wireless for Public Safety Communications Products, Services, and Solutions for the purchase of radios and other public safety communications services and solutions.
Term: Board approval through initial and extended terms of contract #43190000-22-NASPOACS.
Funding Source: General airport operating revenues funded through each department's approved budget.
Vote: Commissioner Ruane moved approval, seconded by Commissioner Hamman, called and carried with Commissioner Sandelli absent.
9. Request Board approve the Mutual Aid [Agreement](#) (MAA) between the Lee County Port Authority Police Department and the Florida Department of Law Enforcement (FDLE) through its State Assistance for Fentanyl Eradication (S.A.F.E.) Initiative.
Term: This Agreement shall remain in full force until June 30, 2024. The Agreement shall be automatically extended on a month-by-month basis, not to extend past September 30, 2024. This Agreement shall include any further extensions or renewals.
Funding Source: N/A
Vote: Commissioner Ruane moved approval, seconded by Commissioner Hamman, called and carried with Commissioner Sandelli absent.

DEVELOPMENT - Emily Underhill

10. Request Board approve [contract amendments](#) to AECOM Technical Services to extend the contract time to complete the ongoing Construction Administration for the South Quadrant Hangars and Ramp Project at Page Field (FMY).
Term: Extend contract term through 4/5/2025.
Funding Source: N/A
Vote: Commissioner Ruane moved approval, seconded by Commissioner Hamman, called and carried with Commissioner Sandelli absent.
11. Request Board approve [contract amendments](#) #21 and #22 to Owen-Ames-Kimball Company (OAK) to extend the contract time to complete the ongoing Construction of the South Quadrant Hangars and Ramp Project at Page Field (FMY).
Term: Extend contract term through 4/5/2025.
Funding Source: N/A
Vote: Commissioner Ruane moved approval, seconded by Commissioner Hamman, called and carried with Commissioner Sandelli absent.

12. Request Board adopt changes to the Page Field (FMY) Airport Layout Plan (ALP) set to more accurately reflect current conditions and prior Board approvals.
Term: N/A
Funding Source: N/A
Vote: Commissioner Ruane moved approval, seconded by Commissioner Hamman, called and carried with Commissioner Sandelli absent.
13. Request Board authorize a [contract amendment](#) with Owen-Ames-Kimball Company in the amount of \$230,972 to perform Construction Management services associated with Taxiway F pavement repairs at the Southwest Florida International Airport (RSW).
Term: Three year continuing contract term expiring March 2, 2026.
Funding Source: Net RSW airport revenue from normal operations WB5422741200.503490.
Vote: Commissioner Ruane moved approval, seconded by Commissioner Hamman, called and carried with Commissioner Sandelli absent.
14. Request Board concur with the ranking of qualifications submitted for LOQ #24-41 Construction Engineering Inspection Services for the RSW Terminal Expansion Phase II - Gates Expansion - Concourse E project at the Southwest Florida International Airport.
Term: N/A
Funding Source: N/A
Vote: Commissioner Ruane moved approval, seconded by Commissioner Hamman, called and carried with Commissioner Sandelli absent.

ADMINISTRATIVE AGENDA

ADMINISTRATION - Brian McGonagle

15. Request the Board approve (1) The FY 2024-25 Lee County Port Authority Budget; (2) The FY 2024-25 Rates & Fees pursuant to the Airline-Airport Use and Lease Agreement for Southwest Florida International Airport; (3) The FY 2024-25 Compensation Plan; (4) The Page Field Rates and Fees for FY 202425; (5) The authorization for the Executive Director or his designee to make interfund transfers during the year, as necessary, to maintain proper cash flow. Staff requests tentative approval subject to Public Hearings and final Board approval during the month of September.
Term: October 1, 2024 – September 30, 2025
Funding Source: N/A
Board Discussion: Deputy Executive Director of Administration Brian McGonagle presented the item to the Board and stated the budget being presented is the same as the one presented to the Board at the May 16, 2024, Port Workshop with one acceptance. The Port Authority will be issuing debt for Concourse E in the fall of 2024. Mr. McGonagle stated there are talks of a pay plan adjustment of six percent for Port Authority personnel. If the six percent is approved by the Board, it would be an additional \$400,000. Commissioner Hamman stated that he would like to keep the pay plan percentage for Port Authority Staff the same as County Staff.
Public Comment: The Chairman called for public comment and there were no speakers.
Vote: Commissioner Hamman so moved the item as presented with direction for the Port Authority Staff to bring the option of a six percent pay plan adjustment to the Board of County Commissioners September Budget meeting, seconded by Commissioner Greenwell, called and carried with Commissioner Sandelli absent.
16. Request Board approve an [amendment](#) to the Professional Service Agreement (PSA) with Commercial Property Southwest Florida, LLC for Skyplex Phase 3: Entitlement/Permitting and Development Implementation Strategy for a not to exceed amount of \$6,532,327.
Term: Estimated timeframe 30-36 months from approval
Funding Source: Net Revenues from the normal operation of the Airport
Board Discussion: Deputy Executive Director of Administration Brian McGonagle presented the item to the Board giving a brief recap of Phase 1 and Phase 2. There was Board consensus that this project will be beneficial to local businesses and the environment.
Public Comment: The Chairman called for public comment and there was one speaker.
Vote: Commissioner Pendergrass so moved, seconded by Commissioner Hamman, called and carried with Commissioner Sandelli absent.

ATTORNEY - Richard Wesch

17. Approve [Amendment](#) to the Design and Construction Administration Services Agreement with AtkinsRealis.

Term: N/A

Funding Source: N/A

Board Discussion: Port Authority Attorney Richard Wm. Wesch presented the item to the Board stating the item is a follow-up to the Board's previous direction and respectfully requested Board approval.

Public Comment: The Chairman called for public comment and there was one speaker.

Vote: Commissioner Hamman so moved, seconded by Commissioner Ruane, called and carried with Commissioner Sandelli absent.

18. Discuss Port Authority Executive Director position.

Term: N/A

Funding Source: N/A

Board Discussion: Port Authority Attorney Richard Wm. Wesch presented the item to the Board stating the item is a follow-up to previous Board action at the January 18, 2024 Joint Board of Port Commissioner meeting regarding the request to acknowledge the retirement of Executive Director Ben Siegel on April 1, 2024. At that meeting, the Board approved the appointment of Mr. Steven Hennigan as Executive Director for a period of three months. It was decided that Mr. Hennigan would train with Mr. Siegel for a period of three months and then he would work for three months on his own. Direction was given for the item to be brought back in six months for further Board discussion and direction.

Vote: Commissioner Pendergrass so moved to extend Mr. Hennigan's contract for nine more months, seconded by Commissioner Hamman, called and carried.

Commissioner Hamman asked if the motion maker would agree to change the motion to a one-year contract. The Board could then evaluate Mr. Hennigan at the end of that year.

Commissioner Ruane ask what the options were relative to performance or anything other than performance. Attorney Richard Wm. Wesch referenced the format of three employees with contracts that include a provision for termination for cause at the will of the Board. Attorney Wesch stated that if it were a one-year agreement, the contract would terminate at the end of that year absent any automatic renewal clause or further action by the Board. As a terminated agreement, the Board would have no further obligation toward the Executive Director and likewise the Executive Director would have no obligations toward the Port Authority. The contract would expire and both parties would go their separate ways. Commissioner Ruane ask if the Board entered into a contract with the Executive Director and they did not feel like he was doing a good job and there was no cause, what would be the financial obligation of the Board. Attorney Wesch stated that it would depend on the terms of the agreement whether it contained a severance clause or not. He stated that two out of the three contracts with current employees have a twenty-week severance clause. Attorney Wesch stated that the twenty-week severance clause could be a negotiated term and if agreed, the Board would be financially obligated to pay the twenty-week severance if it is included in the contract. He stated that typically the employee would also be entitled to all approved vacation and a portion of sick leave based on their years of service. Commissioner Hamman asked if the contract ended at the end of one year, would the Board then be obligated to pay severance and Attorney Wesch said no. Commissioner Ruane stated that he has some hesitation about a one-year contract. He stated that it puts a lot of undue pressure on the Executive Director. There was additional discussion among the Board. Commissioner Greenwell stated that he would like to see the word Interim dropped, as it needs to reflect that the Port Authority has a leader in Mr. Hennigan. Airport Special Management Committee Vice-Chair Noel Andress stated that Ben Siegel made a good choice in choosing Mr. Hennigan as his replacement. There was additional Board discussion with all Board members agreeing that there needs to be stability. Commissioner Ruane stated the timing of the suggested nine months or a year would put the Port Authority in the middle of season and also the height of construction. He does not see how it would be possible to try to bring someone new on during this time. Commissioner Ruane also agreed that the word Interim should be dropped. He suggested moving forward with contract negotiations for the Executive Director position with Mr. Hennigan.

Commissioner Hamman withdrew his second to the original motion to extend Mr. Hennigan's contract for nine more months.

Public Comment: The Chairman called for public comment and there was one speaker.

Vote: Commissioner Pendergrass amended his motion to direct the Chairman to negotiate a two-year contract with Mr. Hennigan as Executive Director and bring it back to the Board for approval and also extend Mr. Hennigan's status as Executive Director until his contract is approved and executed by the Board at the July 30, 2024 Board of County Commissioner meeting, seconded by Commissioner Hamman, called and carried.

COMMISSIONER ITEMS/COMMITTEE APPOINTMENTS

There were no Commissioner Items or Committee Appointments.

AIRPORT SPECIAL MANAGEMENT COMMITTEE COMMENTS

Airport Special Management Committee Chair Robbie Roepstorff stated that Fitch Group has confirmed Southwest Florida International Airport’s (RSW) “A” rating maintenance on an original bond for \$374,000,000. She stated that this reflects a well balanced mix of major carriers and also shows how well things are being run. Ms. Roepstorff stated that she recently took the tour of the airport with Interim Executive Director Steven Hennigan’s Administrative team. Ms. Roepstorff stated the tour was very eye opening for her. She stated it takes skilled people to work on the many complex jobs.

INTERIM EXECUTIVE DIRECTOR ITEMS

Lee County Port Authority Interim Executive Director Steven Hennigan reviewed his Executive Director [Remarks](#) for the Joint Board Meeting of June 20, 2024. Mr. Hennigan also thanked the Board for their vote and support.

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 10:30 a.m.

ATTEST:
KEVIN C. KARNES, CLERK

By _____
Deputy Clerk

Chairman, Lee County Port Authority