

Hillsborough County Aviation Authority
Regular Board Meeting and Board of Adjustment Public Hearing

Thursday, 9:00 a.m.
November 9, 2023

A Regular Board Meeting and Board of Adjustment Public Hearing were convened in the Boardroom, Level 4 of SkyCenter ONE, Tampa, Florida, on Thursday, November 9, 2023.

Members present were: Chairman Gary Harrod, Vice Chairman Robert Watkins, Mayor Castor, General Diehl and Commissioner Cohen.

Aviation Authority staff members present were CEO Joe Lopano, General Counsel Michael Stephens, Chris Minner, John Tiliacos, Damian Brooke, Veronica Cintron, Elita McMillon, Jeff Siddle, Silvana Muro, Tom Thalheimer, Matt Bauer, Dan Johnson, Violet Cummins, Rob Porter, Ben Robins, Marcus Session, Laura Tatem, Brett Fay, Barbara Grilli, Tony Conza, James Tarro, Tony O'Brian, Chief Charlie Vazquez, Stacey Nance, Gina Dew, Scott Knight, John Mallory, Laurie Noyes, Beau Zimmer, John Mallory, Melissa Solberg, Dan Porter, Rich Coudurier, Randy Forister, Josh Gillen, Alex Heiter, Michael Kamprath, Tony Mantegna, Emily Nipps, Fire Chief Jim Billotte, Kevin Posiad, Danny Glennon, Nancy Duggan, Roop Johal and Marilyn Gauthier.

Chairman Harrod welcomed everyone to the Regular Board Meeting and Board of Adjustment Public Hearing of the Aviation Authority. He asked that anyone who would like to comment on propositions before the Board see Violet Cummins for a form.

The Pledge of Allegiance was recited.

Chairman Harrod called the Board of Adjustment Public Hearing to Order.

Assistant General Counsel Michael Kamprath discussed the rules for the Public Hearing of the Aviation Authority Board of Adjustment. There were two Petitions for Variance. The Public Hearing was duly noticed by newspaper advertisement on October 18, 2023. No comments from the public were received.

Chairman Harrod swore in Tony Mantegna, Aviation Authority Senior Manager of Planning and Development.

The following items were heard during the Board of Adjustment Public Hearing.

Item C1

Airport Study No. 2023-106, Cone & Graham, requesting variances for erection of permanent overhead roadway signs and panels, with a maximum height of 47' AMSL, located at SR60/SR589, Tampa, FL, Resolution No. 2023-118, presented by Tony Mantegna.

Cone & Graham (Petitioner) is seeking the erection of permanent overhead roadway signs and panels, with a maximum height of 47' AMSL, located at SR60/SR589, Tampa, FL. The nearest airport is Tampa International Airport.

Notice of this Hearing before the Board of Adjustment was provided on October 18, 2023.

Petitioner is requesting variances for the erection of the structures.

The Petition was presented to the Airport Hearing Officer on September 14, 2023 and, based on testimony and evidence presented, the Hearing Officer found that approval of the variances, with required conditions, would have no adverse effect on existing FAA restrictions, would not cause additional impacts or loss of utility to Tampa International Airport, would not be contrary to the public interest, would avoid unnecessary hardship to the Petitioner's property, and would be in accordance with the spirit of the Airport Zoning Regulations and Chapter 333, Florida Statutes.

The FAA's aeronautical study found that the Petitioner's request would not create a hazard to air navigation provided certain conditions are met.

FDOT was provided with the opportunity to review the Petition for technical consistency with Florida Statutes and had no response.

The Airport Hearing Officer recommended that the Board of Adjustment approve the variances to Airport Zoning Regulations requested by Petitioner with the following conditions: (1) Red Obstruction lighting required in accordance with FAA Advisory Circular 70/7460-1M; (2) E-File FAA Form 7460-2 with the FAA if the project is abandoned or at least 10 days prior to construction and within five (5) days after construction reaches its greatest height; (3) Notify the Airport at least five (5) business days prior to starting construction at 813-870-7863 and provide Airport Study number; (4) The Petitioner will be required to follow all conditions specified in the FAA Determination of No Hazard to remain in compliance; (5) Installation equipment (crane) exceeding 37' AMSL will require a separate permit from the Authority; (6) Any glint or glare issues identified from this project must be mitigated by the Petitioner to the satisfaction of the Authority to avoid adverse impacts to aviation; (7) The Authority requires a survey of the construction to be completed and submitted to the Authority within five (5) days of reaching its greatest height; (8) In the event that the proposed elevation is exceeded, the Petitioner acknowledges they will mitigate the issue; and (9) The Permit will be valid until commencement of construction for Future Runway 17-35, at which time the structures will need to be re-evaluated for removal or new variances issued based on the Future Runway.

The variances will be valid until the FAA Determination of No Hazard to Air Navigation expires January 18, 2025, but if the FAA Determination of No Hazard is extended by the FAA for no more than 18 months, the variances will also be extended one time, without further action of the Board of Adjustment, provided that no changes to the proposed structures have occurred.

The Board of Adjustment may render its decision based on the findings and recommendations of the Hearing Officer. However, the Board of Adjustment may, but is not required to, review the record of the Hearing Officer's public hearing.

Upon motion of Robert Watkins, seconded by General Diehl, variances for Airport Study No. 2023-106, Cone & Graham, requesting variances for erection of permanent overhead roadway signs and panels, with a maximum height of 47' AMSL, located at SR60/SR589, Tampa, FL were unanimously approved by all Board Members present; and the Airport Zoning Director or designee was authorized to execute all other ancillary documents by adoption of Resolution No. 2023-118.

Item C2

Airport Study No. 2023-116, Radwan Nassri/TLR Tower, LLC, requesting a variance to construct a 46-story mixed-use tower including multi-family, office, retail, and restaurants, with a maximum height of 558' AMSL, located at 601 N. Ashley Drive, Tampa, FL, Resolution No. 2023-119, presented by Tony Mantegna.

Radwan Nassri/TLR Tower, LLC (Petitioner) is seeking to construct a 46-story mixed-use tower including multi-family, office, retail, and restaurants, with a maximum height of 558' AMSL, located at 601 N. Ashley Drive, Tampa, FL. The nearest airport is Peter O. Knight Airport.

Notice of this Hearing before the Board of Adjustment was provided on October 18, 2023.

Petitioner is requesting a variance to construct a 46-story mixed-use tower including multi-family, office, retail, and restaurants.

The Petition was presented to the Airport Hearing Officer on September 14, 2023 and, based on testimony and evidence presented, the Hearing Officer found that approval of the variance, with required conditions, would have no adverse effect on existing FAA restrictions, would not cause additional impacts or loss of utility to Peter O. Knight Airport, would not be contrary to the public interest, would avoid unnecessary hardship to the Petitioner's property, and would be in accordance with the spirit of the Airport Zoning Regulations and Chapter 333, Florida Statutes.

The FAA's aeronautical study found that the Petitioner's request would not be a hazard to air navigation provided certain conditions are met.

FDOT was given the opportunity to review the Petition for technical consistency with Florida Statutes and had no response.

The Airport Hearing Officer recommended that the Board of Adjustment approve the variance to Airport Zoning Regulations requested by Petitioner with the following conditions: (1) Red Obstruction lighting required in accordance with FAA Advisory Circular 70/7460-1M; (2) E-File FAA Form 7460-2 with the FAA if the project is abandoned or at least 10 days prior to construction and within five (5) days after the construction reaches its greatest height; (3) Notify the Airport at least five (5) business days prior to starting construction at 813-870-7863 and provide Airport Study number; (4) The Petitioner will be required to follow all conditions specified in the FAA Determination of No Hazard to remain in compliance; (5) Installation equipment (crane) exceeding 558' AMSL will require a separate permit by the Authority; (6) Any glint or glare issues identified from the project must be mitigated by the Petitioner to the satisfaction of the Authority to avoid adverse impacts to aviation; (7) The Authority requires a survey of the construction to be completed and submitted to the Authority within five (5) days of reaching its greatest height; and (8) In the event that the proposed

elevation is exceeded, the Petitioner acknowledges that it will modify the building to remove any feature or portion of the building exceeding the permitted elevation with all due haste.

The variance will be valid until the FAA Determination of No Hazard to Air Navigation expires September 9, 2024, but if the FAA Determination of No Hazard is extended by the FAA for no more than 18 months, the variance will also be extended one time, without further action of the Board of Adjustment, provided that no changes in the proposed structure have occurred.

The Board of Adjustment may render its decision based on the findings and recommendations of the Hearing Officer. However, the Board of Adjustment may, but is not required to, review the record of the Hearing Officer's public hearing.

Upon motion of Robert Watkins, seconded by Commissioner Cohen, variance for Airport Study No. 2023-116, Radwan Nassri/TLR Tower, LLC, requesting a variance to construct a 46-story mixed-use tower including multi-family, office, retail, and restaurants, with a maximum height of 558' AMSL, located at 601 N. Ashley Drive, Tampa, FL was unanimously approved by all Board Members present; and the Airport Zoning Director or designee was authorized to execute all other ancillary documents by adoption of Resolution No. 2023-119.

The Public Hearing of the Board of Adjustment was closed.

Chairman Harrod called the Regular Board Meeting to Order.

Chairman Harrod then asked for a Motion to Approve the Agenda.

Upon motion of Commissioner Cohen, seconded by Robert Watkins, the Agenda was unanimously approved by all Board members present.

There were no Public Comments.

Chairman Harrod asked General Counsel Stephens if there were any abstentions from the Regular Board Meeting held on October 12, 2023 that needed to be read into the record. General Counsel Stephens replied that there were no abstentions from the October 12, 2023 Board Meeting and none were anticipated at this meeting.

Chairman Harrod asked if there were any additions or corrections to the Minutes of the Regular Board Meeting held on October 12, 2023.

Upon motion of Robert Watkins, seconded by General Diehl, the Minutes of the Regular Board Meeting held on October 12, 2023 were unanimously approved by all Board Members present.

Chairman Harrod announced that Mr. Lopano was named the 2024 Chair of the Tampa Bay Economic Development Council and that General Counsel Stephens graduated from the Harvard Advanced Management Program.

The Management Report was next.

Chris Minner provided the Performance Assessment Report.

Passenger traffic closed out the fiscal year at 23,153,000 which was 7/10 of a percent off budget. International traffic was at 1.2 million which was a 64.6% increase year over year. The capacity on international flights was 51% greater than the prior year.

The Air Service Development team attended Routes World from October 15 to 17 in Istanbul, Turkey where they met with 30 different airlines.

Breeze Airlines announced 5 new nonstops to Burlington, VT, Gulfport-Biloxi, MS, Plattsburgh, NY, Madison, WI and Myrtle Beach, SC.

Porter Airlines celebrated their launch of new nonstop flights to Toronto.

The 2023 Tony Janus Award recipient was Joanna Geraghty, President & Chief Operating Officer of JetBlue Airways.

There was \$8.5 million of earned media value for the month and there are more than 300,000 followers on social media. Just under 6,000 followers were added last month.

John Tiliacos was next to report on the repatriation flights of Americans returning home from Israel.

Jim Billotte was recognized as the new Fire Chief at Tampa International Airport.

Skyport Aviation, the fixed base operator at Tampa Executive Airport, opened their new state of the art hangar. This was a \$1.9 million investment which added 12,000 ft of hangar space and an additional 12,000 ft of apron space.

A video was shared showing the first piloted eVTOL public test flight in Florida by Volocopter.

The Blue Express Curbs have won 8 awards since opening 2 years ago.

Jeff Siddle won the Tommy Rawls Distinguished Owner of the Year award.

Damian Brooke presented the FY2023 Full Year Performance report.

Total passenger numbers for the year were 23.2 million which did miss budget by 7/10% but that number was still an all time high for the Authority.

Operating revenues totaled about \$381 million for the fiscal year which was \$38 million more and 11% higher than budget. All of the passenger driven revenue drivers exceeded budget. The Authority's investment portfolio and parking business drove most of the positive variance.

The Authority generated a little over \$31 million in investment income last year. The \$31 million beat budget by more than 136%. Parking generated a little over \$93 million in revenue during 2023, beating budget by more than \$10 million.

For the last 6 months of the fiscal year, there were \$3.2 million in revenues from SkyCenter.

O&M expenses totaled just under \$172.4 million for the fiscal year. The Authority beat budget by about \$3.2 million or about 1.8%. Personnel expenses totaled \$87 million for the year, coming in at \$1.1 million under budget. Savings on contracted services made up almost \$1.4 million or about two-thirds of the total budget. Expenses related to SkyCenter came in more than \$1.1 million or 23% under budget. That was due to a combination of ad valorem payments coming in lower than expected and the impact of the Authority purchasing the building halfway through the year instead of a full year lease.

After revenue expenses, debt service came within \$200,000 of the 2023 budget.

The significantly higher revenues and lower expenses resulted in airline revenue sharing coming in at almost \$4.6 million. That is almost double what was included in the 2023 budget. The airline cost of enplanement was at \$9.71.

The Authority generated more than \$151 million on a pre-capital bottom line with the funds available for capitol projects, the Air Service Incentive Program, and reserves.

This concluded the Management Report.

The Chairman then moved on to the Consent Agenda.

Upon motion of Commissioner Cohen, seconded by Robert Watkins, the Consent Agenda was unanimously approved by all Board Members present.

The following items were contained in the Consent Agenda.

Item 11

Product Service Agreement, Public Safety Communications Technology and Hardware Solutions, utilizing State of Florida Contract No. 43190000-21-SRCWL-ACS, Zetron, Inc., Tampa International Airport, Resolution No. 2023-117.

The Authority requires maintenance and support services for the Airport Operations Center's dispatch control system. The dispatch control system currently in place is Zetron's ACOM Command & Control System. This mission-critical system is an integrated touchscreen communications solution that combines both voice and data communication onto a single screen supporting dozens of phone lines and allows the Airport Operations Center to successfully manage hundreds of phone calls daily across Tampa International Airport. Authority Policy P410 authorizes the utilization of federal, state, local, or multi-state cooperative purchasing contracts to purchase goods and services without obtaining three quotes or advertisement.

This item authorizes execution of a Product Service Agreement with and issuance of Purchase Orders to Zetron, Inc. for maintenance and support services for the ACOM Command & Control System utilizing State of Florida Contract No. 43190000-21-SRCWL-ACS for the Term of November 9, 2023 through June 23, 2025, with one, one-year renewal option at the discretion of the Chief Executive Officer contingent upon approval of similar renewal option exercised by the State of Florida, in a maximum purchase authorization amount of \$200,000, including the renewal option.

This item is included in the O&M Budget.

Management recommended adoption of Resolution No. 2023-117.

Resolution No. 2023-117 approved and authorized execution of Product Service Agreement at Tampa International Airport with Zetron, Inc.; authorized issuance of Purchase Orders to Zetron, Inc.; and authorized the Chief Executive Officer or designee to execute all other ancillary documents.

Item 12

Reimbursement for Technology Equipment Purchases and Monthly Reoccurring Charges, U.S. Customs & Border Protection, Capital Commodity Plan Purchases, Tampa International Airport, Resolution No. 2023-120.

Federal requirements require the Authority to reimburse U.S. Customs & Border Protection (CBP) for technology equipment purchases and monthly reoccurring charges associated with annual CBP equipment upgrades. The reimbursements are for personal computers, monitors, scanners, cameras, internet charges, switches and routers, and other items used at CBP's facilities at Tampa International Airport.

This item seeks authorization to reimburse CBP for technology equipment purchases, installation labor, monthly reoccurring charges, and contingency and non-construction contract related costs associated with annual CBP equipment upgrades for the Term of November 9, 2023 to November 8, 2028 in a not to exceed amount of \$900,000.

This item is included in the Capital Budget.

Management recommended adoption of Resolution No. 2023-120.

Resolution No. 2023-120 approved and authorized the reimbursement of technology equipment purchases and monthly reoccurring charges in the not to exceed amount of \$900,000 to U.S. Customs & Border Protection, Capital Commodity Plan Purchases; and authorized the Chief Executive Officer or designee to execute all ancillary documents.

Item 13

Authorization to Dispose of Surplus Property, Tampa International Airport.

The following property has been determined to be surplus and serves no useful function, or the continued use is uneconomical or inefficient.

Description	QTY	Year Purchased	Asset Tag
Ford F350 DRW Truck	1	2008	107489
Chevrolet Tahoe Police Pursuit Vehicle	1	2017	704629
John Deere Tractor Boom Mower	1	2006	12340
Ford F250 CNG Utility Bed Truck	1	2012	125002
Ford Interceptor Police Pursuit Vehicle	1	2014	126957
Chevrolet Tahoe Police Pursuit Vehicle	1	2015	200896

Designate the above property as surplus and authorize disposal in accordance with Chapter 274, Florida Statutes. Surplus property will be publicly advertised and auctioned at Tampa Machinery Auction, Inc., Royal Auction Group, Bay Area Auction Services, or on GovDeals.com, an internet-based auction system.

The Chief Executive Officer recommended that the Board designate the above property as surplus and authorize disposal in accordance with Chapter 274, Florida Statutes.

The Board acted on this by motion; no resolution was required.

There was no Policies or Rules for Consideration or Action, Committee Reports or Unfinished Business. Chairman Harrod proceeded to New Business.

The following items were contained in New Business.

Item M1

Construction Contract, Long Term Garage Switchgear Replacement, HCAA Project No. 7125 23, APG Electric, Inc., Tampa International Airport, Resolution No. 2023-111, presented by Jeff Siddle.

The purpose of this Project is to replace the switchgear drawout circuit breakers and automatic transfer switches in the Long Term Parking Garage main switchgear room that have reached the end of their useful life.

An Invitation to Bid was issued on June 26, 2023.

On August 15, 2023, Bids were publicly opened and read aloud as follows:

<u>Company Name</u>	<u>Bid Amount</u>
APG Electric, Inc.	\$2,529,000

After the Bid opening, the Authority met with APG Electric, Inc., the sole responsive and responsible Bidder, and, in accordance with Policy P410, Procurement, was able to negotiate a revised Construction Contract award amount of \$2,519,750.

No specific Goal for W/MBE participation was established.

Per Authority Policy P410, staff may authorize use of the Owner's Direct Purchase Program with respect to construction materials and supplies, if appropriate.

This item is included in the Capital Budget.

Management recommended adoption of Resolution No. 2023-111.

Upon motion of Robert Watkins, seconded by General Diehl, Construction Contract for Long Term Garage Switchgear Replacement at Tampa International Airport with APG Electric, Inc. in the amount of \$2,519,750 was unanimously approved by all Board Members present; staff was authorized to use Owner's Direct Purchase Program if appropriate; and the Chief Executive Officer or designee was authorized to execute all other ancillary documents by adoption of Resolution No. 2023-111.

Item M2

Purchase Orders, Motor Fuels – Tank Wagon Deliveries utilizing Lee County BOCC Contract No. B200480ANB, Palmdale Oil Company, Inc., Tampa International Airport, Peter O. Knight Airport, Plant City Airport, and Tampa Executive Airport, presented by Matt Bauer.

The Authority's O&M Budget provides for the purchase of unleaded and diesel fuel.

Authority Policy P410 authorizes the utilization of federal, state, local, or multi-state cooperative purchasing contracts to purchase goods and services without obtaining three quotes or advertisement.

The Authority has been utilizing Palmdale Oil Company, Inc. through Orange County BOCC Contract No. Y18-1124-MV to purchase tank wagon fuel. The Authority purchases approximately 3,250 gallons per week due to the capacity limits of the fuel storage tanks.

Staff requests authorization for the issuance of Purchase Orders to Palmdale Oil Company, Inc. for the purchase of unleaded and diesel fuel utilizing Lee County BOCC Contract No. B200480ANB for the Term of November 9, 2023 through September 20, 2024, with one, three-year renewal option at the discretion of the Chief Executive Officer contingent upon approval of a similar renewal option exercised by Lee County BOCC, in a maximum purchase authorization amount of \$2,540,000, including the renewal option.

All fuel pricing is based on a markup of base prices from the Oil Price Information Service (OPIS) Tampa Rack Average the Taft terminal. This is necessary because long-term fixed contract pricing is not suitable for this highly volatile commodity. The fixed markup will remain firm for the entire Term of the Lee County BOCC Contract.

This item is included in the O&M Budget.

Upon motion of Robert Watkins, seconded by General Diehl, the issuance of Purchase Orders to Palmdale Oil Company, Inc. was unanimously approved by all Board Members present and the Chief Executive Officer or designee was authorized to execute all other ancillary documents. No resolution was required.

Item M3

Supplemental Contract and Issuance of Purchase Orders, Technology Solutions, Products, and Services utilizing Omnia Partners Contract No. 01-143, Dell Marketing LP, Tampa International Airport, Resolution No. 2023-114, presented by Marcus Session.

The Authority's Information Technology Services Department routinely purchases equipment, software, and related services to support the Authority's information technology needs.

Dell Marketing LP provides software solutions, cloud storage, and flexible, scalable IT solutions. Execution of purchase documents including, but not limited to, statements of work outlining requirements, end-user license agreements for the rights to use software, equipment, and service level agreements for support and maintenance, are often required to complete purchase transactions for such solutions.

Authority Policy P410 authorizes the utilization of federal, state, local or multi-state cooperative purchasing contracts to purchase goods and services without obtaining three quotes or advertisement.

This item authorizes execution of a Supplemental Contract with and issuance of Purchase Orders to Dell Marketing LP for the purchase of equipment, software, and related services utilizing Omnia Partners Contract No. 01-143 for the period of November 9, 2023 through November 30, 2025, with three, one-year renewal options at the discretion of the Chief Executive Officer contingent upon approval of similar renewal options exercised by Dell Marketing LP and Omnia Partners, in a maximum purchase authorization amount of \$12,500,000, including renewal options.

In addition, this item authorizes the Chief Executive Officer or designee to execute all purchase documents required to complete the purchase of software, support, and services including, but not limited to, statements of work, end-user license agreements, and service level agreements.

This item is included in the O&M and Capital Budgets.

Management recommended adoption of Resolution No. 2023-114.

Upon motion of Robert Watkins, seconded by General Diehl, Supplemental Contract with and issuance of Purchase Orders to Dell Marketing LP was unanimously approved by all Board Members present; and the Chief Executive Officer or designee was authorized to execute all other ancillary documents by adoption of Resolution No. 2023-114.

Item M4

Increase to Maximum Purchase Authorization for Purchase Orders, Audio Visual Equipment, Accessories, and Services, utilizing Omnia Partnership Region 4 Education Services Center (ESC) Contract No. R201201, AVI-SPL LLC, Tampa International Airport, presented by Marcus Session.

On June 3, 2021, the Board authorized the issuance of Purchase Orders to AVI-SPL LLC for the purchase of audio visual equipment, accessories, and services on an as-needed basis through March 31, 2024, with two,

one-year renewal options in the maximum purchase authorization amount of \$5,750,000. However, the maximum purchase authorization amount at that time did not consider additional funding for the infrastructure requirements of Phase III of the Master Plan.

AVI-SPL LLC is an authorized distributor of over 100 manufacturers of audio visual equipment and provides installation, support, and other professional services. These solutions and services allow Authority staff to deliver and optimize content and applications, allow for the replacement of wall displays, hardware and software support, and allow for the expansion of the Airport's audio visual infrastructure.

Execution of purchase documents including, but not limited to, statements of work outlining requirements, end-user license agreements for the rights to use software, and service level agreements for support and maintenance are often required to complete purchase transactions for these solutions and services.

Authority Policy P410 authorizes the utilization of federal, state, local or multi-state cooperative purchasing contracts to purchase goods and services without obtaining three quotes or advertisement.

This item requests an increase of \$7,000,000 to the previously approved maximum purchase authorization amount for audio visual equipment, accessories, and services for a new maximum purchase authorization amount of \$12,750,000.

In addition, this item requests authorization for the Chief Executive Officer to execute documents required to complete these purchases including, but not limited to, statements of work, end-user license agreements, and service level agreements.

This item is included in the O&M and Capital Budgets.

Upon motion of General Diehl, seconded by Robert Watkins, the Board authorized an increase of \$7,000,000 to the maximum purchase authorization amount for Purchase Orders issued to AVI-SPL LLC; the Chief Executive Officer was authorized to execute documents required to complete the purchases including, but not limited to, statements of work, end-user license agreements, and service level agreements; and the Chief Executive Officer or designee was authorized to execute all other ancillary documents. No resolution was required.

This concluded New Business.

Jeff Siddle then gave the monthly Master Plan Update.

Mr. Siddle reported on the work being done on the Red Side Express Lanes and the work that is happening in the arcade. He discussed 6 overnight closures of the Airside C shuttle to coincide with foundation work that needed to be done. The project is trending in a good position regarding schedule and budget. Mr. Siddle concluded his report with projects that are impacting the guest experience when passengers come to the Airport.

This concluded the Staff Reports and Chairman Harrod proceed to the Attorney Client Closed Session.

General Counsel Michael Stephens discussed the procedure for entering into the Attorney Client Closed Session.

The motion to enter into an Attorney Client Closed Session was moved by Robert Watkins, seconded by General Diehl, and was unanimously approved by all Board Members present.

At the conclusion of the Attorney Client Closed Session, Chairman Harrod reopened the Regular Board Meeting.

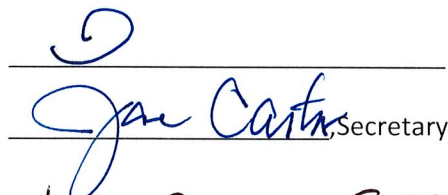
The motion to proceed as discussed in the Attorney Client Closed Session was moved by Commissioner Cohen, seconded by Robert Watkins, and was unanimously approved by all Board Members present.

Before adjourning the meeting, General Counsel Stephens requested an Attorney-Client Closed Session be held at the December 2023 Board Meeting to discuss pending litigation and strategy related to litigation expense and to seek the Board's direction.

With no further business to be brought before the Board, Chairman Harrod adjourned the meeting.



GENERAL DIEHL, Chairman
ARTHUR F. DIEHL III, CHAIRMAN



JANE CASTOR, SECRETARY