

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

Thursday, 9:00 a.m.
August 3, 2023

A Regular Board Meeting and Board of Adjustment Public Hearing was convened in the Boardroom, Level 4 of SkyCenter ONE, Tampa, Florida, on Thursday, August 3, 2023.

Members present were: Chairman Gary Harrod, Robert I. Watkins and General Diehl. Mayor Castor and Commissioner Cohen were not in attendance.

Aviation Authority staff members present were Chief Executive Officer Joseph W. Lopano, General Counsel Michael Stephens, Chris Minner, John Tiliacos, Damian Brooke, Veronica Cintron, Scott Knight, Adam Bouchard, Elita McMillon, Jeff Siddle, Silvana Muro, Tom Thalheimer, Matt Bauer, Dan Johnson, Violet Cummins, Rob Porter, Ben Robins, Marcus Session, Laura Tatem, Melissa Solberg, Emily Nipps, John Mallory, Gina Dew, Brett Fay, Barbara Grilli, Laurie Noyes, Beau Zimmer, Tony Conza, James Tarro, Jon Vaden, Randy Forister, Tony Mantegna, Tony O'Brian, Chief Charlie Vazquez, Joel Feldman, Justin Piazza, Stacey Nance, Eleanor Robichaud, Matt Deloatche, Kyla Fischer, Roop Johal, Kevin Podsiad, Dan Porter and Bianca Lopez.

Chairman Harrod welcomed everyone to the Regular Board Meeting and Board of Adjustment Public Hearing of the Aviation Authority and 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 Scott Knight 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 July 12, 2023. No comments from the public were received.

Chairman Harrod swore in Tony Mantegna, Authority Senior Manager of Planning, and Petitioner, Alex Schaler.

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

Item C1

Airport Study No. 2023-57, RD RWD Tampa, LLC, requesting a variance to construct The Parkview, a 29-story, 362 unit mixed-use tower, with a maximum height of 330' AMSL, located at 101 S. Parker Street, Tampa, FL, Resolution No. 2023-73, presented by Tony Mantegna.

RD RWD Tampa, LLC (Petitioner) is seeking to construct The Parkview, a 29-story, 362 unit mixed-use tower, with a maximum height of 330' AMSL, located at 101 S. Parker Street, Tampa, FL. The nearest airport is Peter O. Knight.

Notice of this hearing before the Board of Adjustment was provided on July 12, 2023.

Petitioner is requesting a variance to construct The Parkview, a 29-story, 362 unit mixed-use tower.

The Petition was presented to the Airport Hearing Officer on June 19, 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 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. Additionally, the FDOT did not identify any concerns with the request.

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 the 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 to remain in compliance; (5) Installation equipment (crane) exceeding 330' AMSL will require a separate permit by 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; and (8) In the event that the proposed elevation is exceeded, the Petitioner acknowledges that it will remove any feature or portion of the structure exceeding the permitted elevations.

The variance will be valid until the FAA Determination of No Hazard to Air Navigation expires on August 22, 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 General Diehl, a variance for Airport Study No. 2023-57, RD RWD Tampa, LLC, requesting a variance to construct the Parkview, a 29-story, 362 unit mixed-use tower, with a maximum height of 330' AMSL, located at 101 S. Parker Street, 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. 2023-73.

Item C2

Airport Study No. 2023-61, Tampa Bay Oaks Condo Phase 2, LLC, requesting a variance to construct a high-rise condo building, with a maximum height of 371' AMSL, located at 3015 S. Ysabella Ave., Tampa, FL, Resolution No. 2023-74, presented by Tony Mantegna.

Tampa Bay Oaks Condo Phase 2, LLC (Petitioner) is seeking a variance to construct a high-rise condo building, with a maximum height of 371' AMSL, located at 3015 S. Ysabella Ave., Tampa, FL. The nearest airport is Peter O. Knight Airport.

Notice of this hearing before the Board of Adjustment was provided on July 12, 2023.

Petitioner is requesting a variance to construct a high-rise condo building.

The Petition was presented to the Airport Hearing Officer on June 19, 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 avoid unnecessary hardship to 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 conditions are met. Additionally, the FDOT did not identify any concerns with the request.

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 ten (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 371' AMSL will require a separate permit by the Authority; and (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.

The variance will be valid until the FAA Determination of No Hazard to Air Navigation expires November 4, 2024, but if the FAA Determination of No Hazard is extended by the FAA for no more than 18 months, the variance will 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 General Diehl, a variance for Airport Study No. 2023-61, Tampa Bay Oaks Condo Phase 2, LLC, requesting a variance to construct a high-rise condo building, with a maximum

height of 371' AMSL, located at 3015 S. Ysabella Ave., 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. 2023-74.

The Public Hearing of the Board of Adjustment was closed.

Chairman Harrod called the Regular Board Meeting to Order.

Mr. Lopano informed the Board that Consent Agenda Item I3, Warranty Agreement, NICE Public Safety System, Word Systems, LLC, Tampa International Airport, Resolution No. 2023-77 would be removed from the agenda and brought back at a later date.

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

Upon motion of Robert Watkins, seconded by General Diehl, 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 June 1, 2023 that needed to be read into the record. General Counsel Stephens replied that there were no abstentions from the June 1, 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 June 1, 2023.

Upon motion of Mr. Watkins, seconded by General Diehl, the Minutes of the Regular Board Meeting held on June 1, 2023 were unanimously approved by all Board Members present.

Mr. Lopano's Management Report was next.

Chris Minner began with the Performance Assessment Report.

Almost 2 million passengers were served in the month of June. That is an increase of almost 8% from before the pandemic and up 13.8% from last year. There were 106,000 international passengers in the month of June which is a 10% increase versus before the pandemic and 44% above last year.

Travel and Leisure magazine rated Tampa International Airport number three for overall customer satisfaction in North America.

The Air Service Development team participated in the Airline Strategy Awards in London. The Authority sponsors the Airline Business award which was presented to Doug Parker from American Airlines.

Mr. Minner reported on new routes.

Phoebe the Flamingo was entered into the CODA Award contest. It was rated second place for overall voting which would qualify it for the People's Choice Award.

Combined media value for June and July was over \$8.5 million. Social media activity added 3,000 new followers in June and almost 2,000 in July.

John Tiliacos was next to report on the annual TSA Security Inspection. The inspection resulted in 0 findings.

Two community meetings were held on the Master Plan. The first meeting included tenants and community stakeholders and the second meeting was for the general public. This was the third outreach program in the past 15 months.

This concluded Mr. Lopano's Management Report.

The Chairman then moved on to the Consent Agenda.

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

The following items were contained in the Consent Agenda.

Item 11

Purchase Order, Energreen Alpha F12 Slope Mower, utilizing the Florida Sheriffs Association Contract No. FSA20-EQU18.0, Energreen America Inc., Tampa International Airport.

The Authority's FY23 Equipment Budget provides for the purchase of an Energreen Alpha F12 Slope Mower for the Maintenance Department. The Energreen Alpha F12 Slope Mower is a high-technology level vegetation management machine used for maintaining the Airfield and Airport property. It will replace the current slope mower, which is beyond its useful life.

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 the issuance of a Purchase Order to Energreen America Inc. for the purchase of the Energreen Alpha F12 Slope Mower utilizing the Florida Sheriffs Association Contract No. FSA20-EQU18.0 for the Term of August 3, 2023 through September 31, 2023 in a maximum purchase authorization amount of \$370,000.

This item is included in the Capital Equipment Budget.

The Chief Executive Officer recommended that the Board authorize the issuance of a Purchase Order to Energreen America Inc. and authorized the Chief Executive Officer or designee to execute all other ancillary documents.

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

Item 12

Amendment No. 1 to Maintenance Contract for Emergency Generators, Ring Power Corporation, Tampa International Airport, Resolution No. 2023-76.

On February 7, 2018, the Board awarded a Maintenance Contract for Emergency Generators (Maintenance Contract) at Tampa International Airport to Ring Power Corporation for the initial Term of February 7, 2018 through February 6, 2023, with one, five-year renewal option to be executed at the discretion of the Authority Chief Executive Officer. The cost for maintenance and load bank testing of emergency generators is estimated at \$25,000 annually. On January 4, 2023, the one, five-year renewal option was exercised, revising the end date of the Maintenance Contract to February 6, 2028.

Due to increasing labor costs, rising petroleum costs, and vehicle maintenance costs, Ring Power Corporation has requested a one-time increase for the current Contract Year 6, resulting in a new estimated total cost of \$37,000 for Year 6.

This Amendment No. 1 authorizes a one-time increase for Year 6 for maintenance and load bank testing of emergency generators for a new estimated cost of \$37,000 for Year 6. Additionally, Amendment No. 1 authorizes a 5% rate increase at the beginning of each Contract Year thereafter. This Amendment No. 1 also extends the Maintenance Contract for an additional three-year period, revising the end date of the Maintenance Contract to February 6, 2031. All other terms and conditions of the Maintenance Contract will remain the same.

The Authority may cancel the Maintenance Contract with 30 days written notice.

This item is included in the O&M Budget.

Management recommended adoption of Resolution No. 2023-76.

Resolution No. 2023-76 approved and authorized execution of Amendment No. 1 to Maintenance Contract for Emergency Generators at Tampa International Airport with Ring Power Corporation; and authorized the Chief Executive Officer or designee to execute all other ancillary documents.

Item 13

REMOVED FROM THE CONSENT AGENDA

Item 14

Authorization for Expenditure of Federal and State Forfeiture Funds, Tampa International Airport.

Under provisions of the U.S. Department of Treasury Guide to Equitable Sharing for Foreign Countries and Federal, State and Local Law Enforcement Agencies (Guide), State forfeiture funds shared with local law enforcement agencies must be expended for law enforcement purposes. The Florida Contraband Forfeiture Act (FCFA) authorizes law enforcement agencies to use the proceeds collected under the FCFA for authorized law enforcement purposes as well.

Authority Standard Procedure S440.14 requires expenditures from Federal and State forfeiture funds to be made only after approval from Legal Affairs and the Authority Board. Legal Affairs has reviewed this request and agrees with the expenditures.

Authorize the expenditure of Federal and State forfeiture funds to be used by the Tampa International Airport Police Department in a maximum purchase authorization amount of \$32,000 to purchase crime prevention items and for staff attendance at the Florida Crime Prevention Association Conference.

This item is included in the Federal and State Forfeiture Funds Budget.

The Chief Executive Officer recommended the Board authorize the expenditure of Federal and State forfeiture funds and authorized the Chief Executive Officer or designee to execute all other ancillary documents.

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

Item 15

Space Rental Agreement for Rental Car Center, Fox Rent A Car, Inc., Tampa International Airport, Resolution No. 2023-62; Space Rental Agreement for Rental Car Center, Sixt Rent A Car, LLC, Tampa International Airport, Resolution No. 2023-63.

Fox Rent A Car, Inc. and Sixt Rent A Car, LLC (collectively RACs) are on-airport rental car companies which occupy space in the Rental Car Center (RCC) at Tampa International Airport. On March 1, 2018, the Board approved Space Rental Agreements with the RACS to lease additional support space for storage and other operational needs which is not included as part of the allocated space under their Lease and Concession Contracts for On-Airport Vehicle Rental Concession at Tampa International Airport. Those Space Rental Agreements expire September 30, 2023.

This item approves and authorizes Space Rental Agreements for Rental Car Center (Agreements) with the RACs to lease Support Space in the Ready Return Area in the RCC, at the rate of \$24.79 per square foot, which may be adjusted annually by two percent (2%).

<u>RAC</u>	<u>Description</u>	<u>Sq. Ft.</u>	<u>Annual Rent</u>	<u>Monthly Rent</u>
Fox Rent A Car, Inc.	Support Space	908	\$22,509.32	\$1,875.78
Sixt Rent A Car, LLC	Support Space	404	\$10,015.16	\$834.60

The Agreements commence on October 1, 2023 and expire on September 30, 2028. Each Agreement may be terminated upon thirty (30) days written notice. Each RAC has provided a security deposit under their Agreement equal to three months' rent.

Management recommended adoption of Resolution Nos. 2023-62 and 2023-63.

Resolution No. 2023-62 approved and authorized execution of Space Rental Agreement for Rental Car Center at Tampa International Airport with Fox Rent A Car, Inc.; and authorized the Chief Executive Officer or designee to execute all other ancillary documents.

Resolution No. 2023-63 approved and authorized execution of Space Rental Agreement for Rental Car Center at Tampa International Airport with Sixt Rent A Car, LLC; and authorized the Chief Executive Officer or designee to execute all other ancillary documents.

Item 16

Use and Permit Agreement for Off-Airport Rental Car Concession, 1 Rent A Car Corp. d/b/a JC Car Rental, Tampa International Airport, Resolution No. 2023-64; Use and Permit Agreement for Off-Airport Rental Car Concession, 4 Wheels Rent A Car Corp. d/b/a GreenMotion Tampa, Tampa International Airport, Resolution No. 2023-65; Use and Permit Agreement for Off-Airport Rental Car Concession, CJB Enterprises, Inc., d/b/a Carls Van Rentals, Tampa International Airport, Resolution No. 2023-66; Use and Permit Agreement for Off-Airport Rental Car Concession, ER Travel, LLC d/b/a Easirent, Tampa International Airport, Resolution No. 2023-67; Use and Permit Agreement for Off-Airport Rental Car Concession, Florida Van Rentals, Inc., Tampa International Airport, Resolution No. 2023-68; Use and Permit Agreement for Off-Airport Rental Car Concession, Sistemas R&P, LLC d/b/a One Switch Rent A Car, Tampa International Airport, Resolution No. 2023-69; Use and Permit Agreement for Off-Airport Rental Car Concession, Via Global Corporation d/b/a Via Car Rental, Tampa International Airport, Resolution No. 2023-70.

1 Rent A Car Corp. d/b/a JC Car Rental, 4 Wheels Rent A Car Corp. d/b/a GreenMotion Tampa, CJB Enterprises, Inc., d/b/a Carls Van Rentals, ER Travel, LLC d/b/a Easirent, Florida Van Rentals, Inc., Sistemas R&P, LLC d/b/a One Switch Rent A Car, and Via Global Corporation d/b/a Via Car Rental (collectively OFFRACs) currently have Use and Permit Agreements for Off-Airport Rental Car Concession (Agreements) at Tampa International Airport (Airport) which expire on September 30, 2023. The OFFRACs do not occupy space in the Rental Car Center and operate their off-airport rental car business from locations near the Airport.

This item provides for new Agreements with the OFFRACs to continue operating an off-airport car rental business and provide transportation for airport customers to their off-airport locations by courtesy vehicle. The Agreements will commence on October 1, 2023 and expire on September 30, 2026. The Authority may terminate each Agreement upon thirty (30) days written notice. In accordance with Authority Policy P822, the OFFRACs will pay a fee of nine percent (9%) of Gross Receipts. Additionally, the OFFRACs will pay a vehicle per-trip fee of \$4.50 through the Authority's Automated Vehicle Identification system. Lastly, the OFFRACs will pay the Authority a Transportation Facility Charge (TFC) of \$2.00 per rental transaction day. Each Agreement provides for the OFFRACs to account for reporting non-airport business which is exempt from inclusion in Gross Receipts.

Management recommended adoption of Resolution Nos. 2023-64, 2023-65, 2023-66, 2023-67, 2023-68, 2023-69 and 2023-70.

Resolution No. 2023-64 approved and authorized execution of Use and Permit Agreement for Off-Airport Rental Car Concession at Tampa International Airport with 1 Rent A Car Corp. d/b/a JC Car Rental; and authorized the Chief Executive Officer or designee to execute all other ancillary documents.

Resolution No. 2023-65 approved and authorized execution of Use and Permit Agreement for Off-Airport Rental Car Concession at Tampa International Airport with 4 Wheels Rent A Car Corp. d/b/a GreenMotion Tampa; and authorized the Chief Executive Officer or designee to execute all other ancillary documents.

Resolution No. 2023-66 approved and authorized execution of Use and Permit Agreement for Off-Airport Rental Car Concession at Tampa International Airport with CJB Enterprises, Inc., d/b/a Carls Van Rentals; and authorized the Chief Executive Officer or designee to execute all other ancillary documents.

Resolution No. 2023-67 approved and authorized execution of Use and Permit Agreement for Off-Airport Rental Car Concession at Tampa International Airport with ER Travel, LLC d/b/a Easirent; and authorized the Chief Executive Officer or designee to execute all other ancillary documents.

Resolution No. 2023-68 approved and authorized execution of Use and Permit Agreement for Off-Airport Rental Car Concession at Tampa International Airport with Florida Van Rentals, Inc.; and authorized the Chief Executive Officer or designee to execute all other ancillary documents.

Resolution No. 2023-69 approved and authorized execution of Use and Permit Agreement for Off-Airport Rental Car Concession at Tampa International Airport with Sistemas R&P, LLC d/b/a One Switch Rent A Car; and authorized the Chief Executive Officer or designee to execute all other ancillary documents.

Resolution No. 2023-70 approved and authorized execution of Use and Permit Agreement for Off-Airport Rental Car Concession at Tampa International Airport with Via Global Corporation d/b/a Via Car Rental; and authorized the Chief Executive Officer or designee to execute all other ancillary documents.

Item 17

Use and Permit Agreement for Transportation Network Company, Lyft, Inc., Tampa International Airport, Resolution No. 2023-71; Use and Permit Agreement for Transportation Network Company, Rasier-DC, LLC, Tampa International Airport, Resolution No. 2023-72.

Lyft, Inc. (Lyft) and Rasier-DC, LLC (Uber) both currently have a Use and Permit Agreement for Transportation Network Company (Agreement) which expires on September 30, 2023. As Transportation Network Companies (TNCs), both companies provide pre-arranged rides to customers at Tampa International Airport (Airport) through digital networks.

This item provides for new Agreements with the TNCs to continue providing pre-arranged rides to customers at the Airport. The Agreements commence on October 1, 2023 and expire on September 30, 2026. The Authority may terminate the Agreements upon thirty (30) days written notice. Lyft will pay a Monthly Fee

which consists of the greater of 1/12 of the set Minimum Annual Privilege Fee (MAPF) of \$430,000, or a per-trip monthly fee consisting of the number of pick-ups multiplied by a \$5.00 Per-Trip fee per pick-up. Uber will pay a Monthly Fee which consists of the greater of 1/12 of the set Minimum Annual Privilege Fee (MAPF) of \$480,000, or a per-trip monthly fee consisting of the number of pick-ups multiplied by a \$5.00 Per-Trip fee per pick-up.

Management recommended adoption of Resolution Nos. 2023-71 and 2023-72.

Resolution No. 2023-71 approved and authorized execution of Use and Permit Agreement for Transportation Network Company at Tampa International Airport with Lyft, Inc.; and authorized the Chief Executive Officer or designee to execute all other ancillary documents.

Resolution No. 2023-72 approved and authorized execution of Use and Permit Agreement for Transportation Network Company at Tampa International Airport with Rasier-DC, LLC; and authorized the Chief Executive Officer or designee to execute all other ancillary documents.

Chairman Harrod proceeded to Policies or Rules for Consideration or Action.

The following items were contained in Policies or Rules for Consideration or Action.

Item H1

Update to Policy Manual, Revisions to Policy for Approval: Section 400, Policy P410, Procurement, presented by Matt Bauer.

Policy P410, Procurement, establishes guidelines for the procurement of construction, improvements, repairs, or work of any nature, as well as equipment, materials, supplies, and services.

Effective July 1, 2023, Florida Statute Section 332.0075 was amended to increase thresholds for the required use of competitive selection processes from \$65,000 to \$325,000.

The Authority's Enabling Act requires a competitive selection process for purchases exceeding \$100,000.

Staff recommended revising Policy P410 to increase the procurement thresholds for competitive selection processes, the purchase of goods and commodities, and the purchase of services from \$65,000 to \$100,000, consistent with recently amended Florida Statute and the Authority's Enabling Act.

The Chief Executive Officer recommended approval of the revisions to Policy P410, Procurement.

Upon motion of Robert Watkins, seconded by General Diehl, Revisions to Policy for Approval: Section 400, Policy P410, Procurement, were unanimously approved by all Board Members present. No resolution was required.

Item H2

Update to Policy Manual, Revisions to Policy for Approval: Section 500, Policy P512, Procurement Protests, presented by Matt Bauer.

Policy P512, Procurement Protests, establishes a policy for procurement protests.

Effective July 1, 2023, Florida Statute Section 332.0075 was amended to increase thresholds for the required use of competitive selection processes from \$65,000 to \$325,000.

The Authority's Enabling Act requires a competitive selection process for purchases exceeding \$100,000.

Contingent on the approval of similar revised language in Policy P410, staff proposes revising Policy P512 as follows:

- Revise the definition of Competitive Selection Process to apply to purchases exceeding \$100,000
- Revise the definition of Informal Selection Process to apply to purchases less than \$100,000

The Chief Executive Officer recommended approval of the revisions to Policy P512, Procurement Protests.

Upon motion of Robert Watkins, seconded by General Diehl, Revisions to Policy for Approval: Section 500, Policy P512, Procurement Protests were unanimously approved by all Board Members present. No resolution was required.

There were no Committee Reports.

Chairman Harrod proceeded to Unfinished Business.

The following items were contained in Unfinished Business.

Item L1

Award of Part 2 Supplemental Contract A for Design-Build Services, Airsides A and E Security Screening Checkpoint Expansion, HCAA Project No. 8435 22, Suffolk Construction Company, Inc., Tampa International Airport, Resolution No. 2023-81, presented by Jeff Siddle.

This Project will expand the security screening checkpoint areas at Airsides A and E to enhance circulation, queuing, and throughput, while also improving customer service.

On August 5, 2021, a Request for Qualifications entitled Airsides A and E Security Screening Checkpoint Expansion at Tampa International Airport was issued.

On December 2, 2021, the Board approved negotiations with the number one ranked firm, Suffolk Construction Company, Inc.

On February 3, 2022, the Board awarded a Part 1 Contract for Design-Build Services in the amount of \$4,661,871 to Suffolk Construction Company, Inc. for the design of the Project.

On May 4, 2023, the Board awarded a Part 2 Contract for Design-Build Services to Suffolk Construction Company, Inc. in the amount of \$9,439,525.

On May 12, 2023, the CEO approved a Change Order to Suffolk Construction Company, Inc. in the amount of (\$160,000) for Owner Direct Purchases.

The maximum purchase authorization amount for this Part 2 Supplemental Contract A for Design-Build Services will be \$57,197,527, bringing the total combined Project Contract amount to date to \$71,138,923.

The Part 2 Supplemental Contract A for Design-Build Services will incorporate a W/MBE participation of 20.8% for design and 9.6% for construction.

Per Authority Policy P410, staff may authorize the 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. 2023-81.

Upon motion of Robert Watkins, seconded by General Diehl, Part 2 Supplemental Contract A for Design-Build Services, Airsides A and E Security Screening Checkpoint Expansion, HCAA Project No. 8435 22 at Tampa International Airport with Suffolk Construction Company, Inc. 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. 2023-81.

Item L2

Award of Part 1 Contract for Design-Build Services, Airside D Development Program & Westside Checked Baggage Screening System Relocation and Upgrades, HCAA Project Nos. 8500 23 & 8515 24, Hensel Phelps Construction Co., Tampa International Airport, Resolution No. 2023-84, presented by Jeff Siddle.

As part of the 2022 Master Plan update, the Authority's Planning Consultant, Ricondo and Associates, reviewed and validated the need for Airside D. The 16 gate Airside D is necessary for Tampa International Airport (Airport) to accommodate up to 35 million annual passengers. Airside D will be designed to accommodate departure and arrival passenger functions for both domestic and international operations.

The scope of work for HCAA Project No. 8500 23, Airside D Development Program, will include, at a minimum, the following work elements at the Airport:

State of the art 16 gate, 3-level domestic and international airside terminal

- Transportation Security Administration (TSA) Security Screening Checkpoint
- TSA Checked Baggage Inspection System (CBIS) and Checked Baggage Reconciliation Area (CBRA)
- U.S. Customs and Border Protection (CBP) facilities
- Common building spaces, restrooms, and circulation corridors
- Shuttle Station for connectivity to the Main Terminal
- New automated people mover system and guideway
- New ramp, hydrant fuel system, and passenger boarding bridges
- Baggage handling system with connections to the Main Terminal
- Airline relocations
- Modifications to the Main Terminal Ticket Level

The existing checked baggage screening systems at the Airport are comprised of two separate systems, one for Airsides A and C (eastside) and one for Airsides E and F (westside). The relocation and upgrades for the eastside baggage screening system were completed in May 2023 under HCAA Project No. 5991 14. The westside baggage screening system is the original in-line baggage screening system that was commissioned in 2005. The TSA is conducting ongoing maintenance projects to keep the existing westside baggage screening system in service.

The scope of work for HCAA Project No. 8515 24, Westside Checked Baggage Screening System Relocation and Upgrades, will include the design of new checked baggage screening facilities for the westside baggage screening system.

On October 12, 2022, a Request for Qualifications entitled Airside D Development Program at Tampa International Airport was issued.

On May 4, 2023, the Board approved negotiations with the number one ranked firm, Hensel Phelps Construction Co.

For HCAA Project No. 8500 23, Airside D Development Program, the amount included in the Part 1 Contract for Design-Build Services is \$66,160,088.

For HCAA Project No. 8515 24, Westside Checked Baggage Screening System Relocation and Upgrades, the amount included in the Part 1 Contract for Design-Build Services is \$7,989,458.

This item approves and authorizes execution of Part 1 Contract for Design-Build Services with Hensel Phelps Construction Co. for design of HCAA Project No. 8500 23, Airside D Development Program and HCAA Project No. 8515 24, Westside Checked Baggage Screening System Relocation and Upgrades, in the total maximum purchase authorization amount of \$74,149,546 for basic services and reimbursable expenses.

A DBE Goal of at least 16% of the dollar amount earned on the Part 1 Contract for Design-Build Services for the design phase of the Project was prescribed. The Part 1 Contract for Design-Build Services will incorporate a DBE participation of at least 20.5% of the dollar amount earned on the design phase of the Project.

This item is included in the Capital Budget.

Management recommends adoption of Resolution No. 2023-84.

Upon motion of Robert Watkins, seconded by General Diehl, Part 1 Contract for Design-Build Services, Airside D Development Program & Westside Checked Baggage Screening System Relocation and Upgrades, HCAA Project Nos. 8500 23 & 8515 24 at Tampa International Airport with Hensel Phelps Construction Co. 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. 2023-84.

Item L3

Award of Part 2 Contract for Design-Build Services, Bag Claim Level Ceiling, Carpet and LED Signage Replacement, HCAA Project Nos. 8430 22, 6835 21 and 6715 20, DPR Construction, A General Partnership, Tampa International Airport, Resolution No. 2023-80, presented by Jeff Siddle.

This Program will replace the Bag Claim Level Ceilings and associated systems, carpet and the above bag belt LCD monitors.

On September 2, 2021, a Request for Qualifications entitled Bag Claim Level Ceiling, Carpet and LED Signage Replacement at Tampa International Airport was issued.

On February 3, 2022, the Board approved negotiations with the number one ranked firm, DPR Construction, A General Partnership.

On April 5, 2022, the Board awarded a Part 1 Contract for Design-Build Services to DPR Construction, A General Partnership in the amount of \$2,400,924 for the design of the Program.

The not-to-exceed amount for this Part 2 Contract for Design-Build Services will be \$18,419,056, bringing the total combined not-to-exceed Program Contract amount-to-date to \$20,819,980.

This Part 2 Contract for Design-Build Services will incorporate a W/MBE participation of 22.3% for design and 18.0% for construction.

Per Authority Policy P410, staff may authorize use of the Owners 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. 2023-80.

Upon motion of Robert Watkins, seconded by General Diehl, Part 2 Contract for Design-Build Services, Bag Claim Level Ceiling, Carpet and LED Signage Replacement, HCAA Project Nos. 8430 22, 6835 21 and 6715 20 at Tampa International Airport with DPR Construction, A General Partnership 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. 2023-80.

Chairman Harrod then proceeded to New Business.

The following items were contained in New Business.

Item M1

Proposed Capital and Operating Budget for Fiscal Year 2024, presented by Damian Brooke and Jeff Siddle.

The Florida Uniform Special District Accountability Act of 1989 sets forth general provisions for all special districts. These provisions require that all special districts must adopt a budget by resolution each fiscal year.

The Proposed Capital and Operating Budget for Fiscal Year 2024 is being distributed today to the Board Members for their review, along with a presentation on the Proposed Capital and Operating Budget. The proposed Capital and Operating Budget was reviewed with the carriers serving Tampa International Airport on July 24, 2023.

Approval of the Proposed Capital and Operating Budget for Fiscal Year 2024 will be requested at the next Authority Board Meeting on September 7, 2023.

Item M2

Construction Contract, Taxiways A, D, E, & J Rehabilitation and Vandenberg Airport Road & Tampa Executive Airport Road Rehabilitation, HCAA Project Nos. 7150 23 & 6845 23, Ajax Paving Industries of Florida LLC, Tampa Executive Airport, Resolution No. 2023-83, presented by Jeff Siddle.

HCAA Project No. 7150 23 will rehabilitate pavements for Taxiways A, D, E, and J. This will include pavement widening at curves and intersections to meet Airplane Design Group II, Taxiway Design Group 2A standards. Taxiway edge lighting, airfield signage, markings, drainage improvements, and box culvert repairs are also included in HCAA Project No. 7150 23.

HCAA Project No. 6845 23 will rehabilitate and strengthen roadway and parking lot pavements. Rehabilitation will be conducted on Vandenberg Airport Road between Wilkins Road and Eureka Spring Road and on all of Tampa Executive Airport Road. Tampa Executive Airport Road and the western portion of Vandenberg Airport Road will also be strengthened. The parking lot serving the Civil Air Patrol (CAP) facility will be reduced in size, and will be reconstructed and strengthened.

An Invitation to Bid was issued on March 31, 2023.

On May 10, 2023, one Bid was publicly opened and read aloud as follows:

<u>Company Name</u>	<u>Bid Amount</u>
Ajax Paving Industries of Florida LLC	\$12,535,676.75

The lowest responsive and responsible Bidder is Ajax Paving Industries of Florida LLC.

After the Bid opening, the Authority met with Ajax Paving Industries of Florida LLC, the sole responsive and responsible Bidder, and, in accordance with Policy P410, Procurement, was able to negotiate a revised Construction Contract award amount of \$10,445,418.50.

A DBE Goal participation rate of 13.4% was prescribed and a DBE Goal participation rate of at least 16.6% is incorporated into this Construction Contract.

This item is included in the Capital Budget.

Management recommended adoption of Resolution No. 2023-83.

Upon motion of Robert Watkins, seconded by General Diehl, Construction Contract for Taxiways A, D, E, & J Rehabilitation and Vandenberg Airport Road & Tampa Executive Airport Road Rehabilitation at Tampa Executive Airport with Ajax Paving Industries of Florida LLC in the amount of \$10,445,418.50 was unanimously approved by all Board Members present; the Chief Executive Officer or designee was authorized to execute all other ancillary documents by adoption of Resolution No. 2023-83.

Item M3

Construction Contract, Airfield Drainage Rehabilitation, HCAA Project Nos. 7115 23, 6860 22 & 6865 21, Civil Site Constructors, Inc., Tampa International Airport, Resolution No. 2023-82, presented by Jeff Siddle.

The purpose of this Project is to remove vegetation along the center of the airfield canals and mow along the banks at Tampa International Airport. Additionally, the mechanically stabilized earth (MSE) wall along Taxiway B will be repaired, and a new concrete shockpad will be installed.

An Invitation to Bid was issued on May 17, 2023.

On July 6, 2023, one Bid was publicly opened and read aloud as follows:

<u>Company Name</u>	<u>Bid Amount</u>
Civil Site Constructors, Inc.	\$2,167,871.35

The lowest responsive and responsible Bidder is Civil Site Constructors, Inc.

After the Bid opening, the Authority met with Civil Site Constructors, 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 \$2,059,870.35.

A W/MBE Goal participation rate of 9% was prescribed and a W/MBE Goal participation rate of at least 10.5% is incorporated into this Construction Contract.

This item is included in the Capital Budget.

Management recommended adoption of Resolution No. 2023-82.

Upon motion of Robert Watkins, seconded by General Diehl, Construction Contract for Airfield Drainage Rehabilitation at Tampa International Airport with Civil Site Constructors, Inc. in the amount of \$2,059,870.35 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. 2023-82.

Item M4

Service Level Agreement, Security Guard Services utilizing the State of Florida Contract No. 92121500-20-1, Universal Protection Service, LLC dba Allied Universal Security Services, LLC, Tampa International Airport, Resolution No. 2023-86, presented by Adam Bouchard.

The Authority is required to have Aviation Worker Screening services on an ongoing basis occurring at various times and locations throughout Tampa International Airport. These services are required per Transportation Security Administration (TSA) Airport Security Program National Amendment TSA-NA-23-02 for Aviation Worker Screening. Services will consist of conducting random, prohibited item inspections of credentialed (badged) employees and escorted visitors at non-public access points. A Service Level Agreement will provide for the inclusion of statutorily required and other language required by the Authority.

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 the execution of a Service Level Agreement with and issuance of Purchase Orders to Universal Protection Service, LLC dba Allied Universal Security Services, LLC for security guard services utilizing the State of Florida Contract No. 92121500-20-1 for the period of August 3, 2023 through March 8, 2025, with up to five (5) years of renewal options at the discretion of the Chief Executive Officer, contingent upon approval of similar renewal options exercised by the State of Florida, in a maximum purchase authorization amount of \$3,410,836, including the renewal options.

This item is included in the O&M Budget.

Management recommended adoption of Resolution No. 2023-86.

Upon motion of Robert Watkins, seconded by General Diehl, Service Level Agreement with and issuance of Purchase Orders to Universal Protection Service, LLC dba Allied Universal Security Services, LLC 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. 2023-86.

Item M5

Qualification of Firms and Issuance of Purchase Orders for Promotional Products, Tampa International Airport, presented by Jon Vaden.

The Authority purchases promotional products on an as-needed basis.

On April 5, 2023, a Request for Qualifications for Promotional Products at Tampa International Airport was issued.

On May 5, 2023, thirteen (13) responses to the Request for Qualifications were received. Paints & Coatings, Inc withdrew their response prior to the start of evaluations. The remaining twelve (12) responses were evaluated by staff. Responses from the following firms were selected by staff for inclusion on the Qualified Company List:

Category 1, Promotional Office Supplies

American Filing Solutions dba Brandinghawk
Contemporary Business Concepts, Inc. dba The Green Logo
Mercury Fulfillment Systems, Inc. dba Mercury Promotions & Fulfillment
Optimum Consulting Group Inc., DBA Optimum is Now
Professional Systems of Pinellas Inc

Category 2, Apparel

Active Promotions LLC
Contemporary Business Concepts, Inc. dba The Green Logo
Mercury Fulfillment Systems, Inc. dba Mercury Promotions & Fulfillment
Professional Systems of Pinellas Inc
Proforma Albrecht contracting with Virtual One Branding

Category 3, Executive-Level Promotional Products

Active Promotions LLC
Eliassen & Associates Inc.
Mercury Fulfillment Systems, Inc. dba Mercury Promotions & Fulfillment
Optimum Consulting Group Inc., DBA Optimum is Now
Professional Systems of Pinellas Inc
Proforma Albrecht contracting with Virtual One Branding

Category 4, Other Promotional Products

Active Promotions LLC
Contemporary Business Concepts, Inc. dba The Green Logo
Mercury Fulfillment Systems, Inc. dba Mercury Promotions & Fulfillment
Optimum Consulting Group Inc., DBA Optimum is Now
Proforma Albrecht contracting with Virtual One Branding

Each qualified firm in a category is eligible to submit fee quotes for promotional products. The Term of Qualification is August 3, 2023 through August 2, 2026 with two, one-year renewal options. The aggregate maximum purchase authorization amount of \$1,500,000 encompasses all firms and all categories.

No specific expectancy for W/MBE participation was established.

This item is included in the O&M Budget.

The Chief Executive Officer recommended that the Board authorize the qualification of firms as listed above, authorize the issuance of Purchase Orders as necessary to firms on the Qualified Company List, and authorize the Chief Executive Officer or designee to execute all other ancillary documents.

Upon motion of Robert Watkins, seconded by General Diehl, Qualification of Firms and Issuance of Purchase Orders for Promotional Products, Tampa International Airport was unanimously approved by all Board Members present. No resolution was required.

Item M6

Microsoft Agreement and Issuance of Purchase Orders, Microsoft Software and Services utilizing Sourcewell Contract No. 081419-SHI, SHI International Corp., Tampa International, Peter O. Knight, Tampa Executive and Plant City Airports, Resolution No. 2023-85, presented by Marcus Session.

On March 1, 2020, the Board authorized the Chief Executive Officer to execute a Microsoft Enterprise Agreement with SHI International Corp. for the purchase of Microsoft software and services utilizing Sourcewell Contract No. 081419-SHI for the Term of March 5, 2020 through March 4, 2023 in a maximum purchase authorization amount of \$2,500,000. The actual Microsoft licenses expire on August 20, 2023.

The Authority wishes to enter into a new Microsoft Agreement allowing it to leverage new Microsoft offerings, planning services to enable efficient deployments of the software, in-person and online training for end users, and a subscription option which lowers initial licensing costs by giving rights to use Microsoft products and services instead of owning them. The subscription option allows the Authority to increase or decrease subscription counts on an annual basis.

The new Microsoft Agreement will be available thirty days prior to the current Microsoft Enterprise Agreement expiration date of August 20, 2023. Once the new Microsoft Agreement is received, Authority staff will work with SHI International Corp. and Microsoft to negotiate favorable terms to meet the Authority's needs.

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.

Authorize the issuance of Purchase Orders to SHI International Corp. and authorize the Chief Executive Officer to execute a Microsoft Agreement for Microsoft software and services with SHI International Corp. utilizing Contract No. 081419-SHI for the period of August 3, 2023 through August 2, 2026 in a maximum purchase authorization amount of \$2,970,000.

This item is included in the O&M Budget.

Management recommended adoption of Resolution No. 2023-85.

Upon motion of Robert Watkins, seconded by General Diehl, execution of Microsoft Agreement with SHI International Corp. by the Chief Executive Officer was unanimously approved by all Board Members

present; issuance of Purchase Orders was authorized at Tampa International, Peter O. Knight, Tampa Executive and Plant City Airports to SHI International Corp; the maximum purchase authorization amount of \$2,970,000 was approved for Microsoft software and services; and the Chief Executive Officer or designee was authorized to execute all other ancillary documents by adoption of Resolution No. 2023-85.

Item M7

Labor Agreement, West Central Florida Police Benevolent Association, Tampa International Airport, Resolution No. 2023-75, presented by Elita McMillon.

On May 9, 2023, the Authority and West Central Florida Police Benevolent Association (PBA) representatives completed bargaining for a new Labor Agreement which covers all sworn Police Sergeants, Corporals, and Officers as well as Traffic Specialists and Evidence Technicians.

The Term of the current Labor Agreement with the PBA is October 1, 2020 through September 30, 2023.

The Term of the proposed Labor Agreement is October 1, 2023 through September 30, 2026.

The proposed Labor Agreement includes negotiated language updates, clarification, and enhanced process details concerning internal investigations, appeals, holiday observation, information dissemination location, grievance procedures, disciplinary action, and annual shift bidding procedure.

Additionally, the proposed Labor Agreement reflects a wage increase for stand-by pay, matching the State of Florida's minimum wage rate, as well as compensation for hours in excess of scheduled shifts, to include subpoena summons. Compensation for special shift differential was established at the rate of time and one-half the base pay rate, with parameters concerning pay period limitations, approval, and concurrent rate allowances. The proposed Labor Agreement also provides slight increases to shift premium pay and the Physical Abilities Test incentive payment, as well as a modest maximum compensatory leave increase from 66 hours to 84 hours.

Furthermore, the proposed Labor Agreement includes minor monthly stipend increases for special unit officer assignments such as K-9 Handler, Bike Duty, Hostage Negotiation, Special Response Team, Special Investigations Unit, Professional Standards Bureau, Master Officer, and Master Corporal. In line with the stipend increases, the proposed Labor Agreement grants the Chief of Police authority to designate up to three (3) Ancillary Duty assignments. A monthly stipend for polygraph administration was also added to the proposed Labor Agreement.

The proposed Labor Agreement increases the uniform cleaning/footwear and clothing allowance for Law Enforcement and Traffic personnel by \$100, while the allowance for SIU Detectives (excluding K-9 and Evidence Technician) increases by \$50.

The proposed Labor Agreement reflects updated grade assignments for Traffic duty positions in accordance with pay grade bands adopted for G1-G10 and proposes increased minimum and maximum salary ranges. The proposed Labor Agreement also reflects increased minimum and maximum salary ranges for covered

Police duty positions. Additionally, all bargaining unit members will receive a one-time hourly base wage increase of twelve percent (12%) added to their current hourly base rate of pay.

This item is included in the O&M Budget.

Management recommends adoption of Resolution No. 2023-75.

Upon motion of Robert Watkins, seconded by General Diehl, Labor Agreement at Tampa International Airport with West Central Florida Police Benevolent Association 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. 2023-75.

This concluded New Business.

There was no Master Plan update this month.

Chairman Harrod then proceeded to the Attorney-Client Closed Session. General Counsel Stephens outlined the procedural rules of the Attorney-Client Closed Session.

Upon motion of Robert Watkins, seconded by General Diehl, the Board unanimously approved entering into an Attorney-Client Closed Session to discuss active litigation.

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

Upon motion of Robert Watkins, seconded by General Diehl, the recommendations of the General Counsel during the Attorney-Closed Session were unanimously approved by all Board Members present.

Chairman Harrod then proceeded with the remaining item on the Agenda

Item P1

CEO Annual Review, presented by Elita McMillon.

In accordance with the terms of the Employment Contract with the Authority's Chief Executive Officer (CEO), Authority Board Members must complete a performance evaluation of the CEO and review overall CEO compensation each year.

Five Board Members have completed their evaluations of the CEO and submitted them to the Human Resources Department. The CEO was measured in five areas on a scale of 1-5 (with 5 being the highest score). The resulting combined average score is 4.99/5.0.

Chairman Harrod opened up a discussion to approve or recommend an increase in salary and bonus.

General Diehl, started the discussion proposing a 10% pay increase and a bonus of anywhere between \$150,000 to \$300,000.

Robert Watkins stated that Mr. Lopano is under an employment contract and asked what the employment contract states.

General Counsel Stephens stated that in April there is an automatic 5% increase as it relates to Mr. Lopano's base compensation. There is no provision in there regarding bonuses as that has been left to the discretion of the Board.

Mr. Watkins requested a copy of Mr. Lopano's employment contract and was provided it to the Board.

Mr. Watkins requested additional time to review the budget as it relates to Mr. Lopano's compensation.

Chairman Harrod stated the longevity bonus is automatic in Mr. Lopano's employment contract. It is a 5% increase based on having a minimum 4.5 review score and Mr. Lopano had received a 4.9 combined score.

There was a discussion of how much money is in reserves and how many days the Authority has of operating capital.

Chairman Harrod called for a motion on a 10% increase in base pay and a \$250,000 bonus.

Upon motion of Robert Watkins, seconded by General Diehl, Mr. Lopano's base pay was increased by 10% and he received a \$250,000 bonus. No Resolution was required.

Before adjourning the meeting, General Counsel Stephens requested an Attorney-Client Closed Session be held at the September 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.

Gary Harrod, Chairman

Jane Castor, Secretary