

ZEPHYRHILLS MUNICIPAL AIRPORT AUTHORITY **REGULAR MEETING**

A Regular Airport Authority meeting was held on **December 17th, 2012** at 5:30 p.m. in the Robert H. Johnson Council Chambers of the Municipal building.

Chair person Daniel Evans called the meeting to order at 5:31 p.m. Roll call was taken. Present were members Daniel Evans, William Castle, Larry Lynch, Rachel Nash and Juan Vega. James Spears and *Ed Knapp were absent.

Ed Knapp arrived at the meeting at 5:44 p.m.

Staff present was Airport Manager Michael Handrahan, Deputy Airport Manager Nathan Coleman and Airport Administrative Assistant Lucy Huber.

APPROVAL/CORRECTION OF MINUTES

Minutes for Regular Meeting held on November 19th, 2012.

Bill Castle said that under item #2 the minutes should read "he has *sent* correspondence" rather than "he has *received* correspondence". Rachel Nash moved to accept the minutes with this change noted. Juan Vega seconded . Motion passed unanimously.

BUSINESS ITEMS:

1. Approval to accept FDOT supplemental to JPA FNP # 418138-1-94-01 for makings on Taxiway B, and the sealing and restriping of Runway 18-36.

Mr. Handrahan presented the Airport Authority with the information regarding the abandonment of one Capital Development project and the transfer of those funds to another higher priority project. The Airport is requesting approval to accept the FDOT supplemental FPN # 418138-1-94-01 for the markings on Taxiway Bravo and the sealing and restriping of Runway 18-36. Also, a request to move FDOT funds of \$44,000 from FPN # 422548-497-01 (upgrade and improvement of the segmented circle and lighted wind cone) into a Taxiway Alpha Lighting Infrastructure project (not yet assigned a FPN #). Total project cost is \$210,000. This transfer of funds has the State's endorsement.

Bill Castle moved to accept the funds and the transfer of funds. Juan Vega seconded and the motion passed unanimously.

OLD BUSINESS ITEMS:

1. SkyDive fencing concerns, T.K. Hayes.
2. Airport Manager, Airport fencing concerns.

Dan Evans said these two items could be combined. Mr. Handrahan address the Board first. He began by stating that one of the most basic functions of a sound facility is the control of unauthorized access by utilizing physical barriers such as fencing. This airport has recently been identified as having a regional transportation impact and yet it

remains only partially fenced. The Airport already has 100 % FDOT Grant funds approved by City Council to enhance the security of the airport. Those funds have not been utilized in over 10 months and will expire soon. The engineering, bidding and construction process of the security project are currently incomplete. AVCON has been directed by Mr. Handrahan to design 80+% of the fence distance and to make the applications to the FAA to modify the airport for fencing. That process is underway to the north and the south of the SkyDive City leasehold. The fees for AVCON will have to be expended from other projects without reimbursement from FDOT if the fence is not completed. Time is running out as FDOT funds will not be extended. Because the City of Zephyrhills accepts federal money (Grant Assurances) we are required to take effective control of the airfield and the current open airside access is unacceptable. If we fail to properly secure the airside and landside portion of the airport we could be subject to a Grant Assurance review by the FAA. Juan Vega asked various questions to be able to fully understand what these reviews consist of and why. Mr. Handrahan explained that FDOT grants could be taken away for non compliance. There is an issue with the residential area of SkyDive city as being a non aeronautical use of airport land but it is technically not a "through the fence" operation. This type of area is required to be fenced out of direct access to the airside operating areas. This non-aviation area should have been reviewed by the FAA previously, but it was not. Bill Castle wondered if all the controversy could have been avoided if the lease reviews had been done at the proper time and Mr. Handrahan agreed that it could have been. If the areas in question are not directly related to aircraft or aeronautical use they are subject to review by the FAA. There was more questioning by Juan Vega as to what is acceptable to the FAA and what is "frowned upon" regarding the residential area. The Airport has to differentiate between aviation and non aviation use on SkyDive City property or we will be inconsistent with FAA Grant Assurances.

T.K. Hayes of 3137 Diana Drive addressed the board at this time. He said SkyDive City agrees with much of what Mr. Handrahan presented, but they do disagree with location of the security fence and that there is indeed a mandate to put one up. Mr. Hayes said that Rebecca Henry of the FAA informed them that ultimately the fencing is left up to the decision of the City of Zephyrhills and that this is a local issue that is not mandated. Mr. Hayes passed out copies to the board of a power point presentation he had done in May of 2013 showing the impact SkyDive has on the City of Zephyrhills. He also provided a "Frequently Asked Questions" regarding SkyDive City. Mr. Hayes said that there would be many other options that would be considered adequate security and so their attorney has now sent a letter to the City asking to be shown the mandate and requirements for security fencing. They have also informed City Council of this issue. SkyDive did an online petition with 2400 signatures against the fence. If the fence goes through the property it will fundamentally change the way they operate. He believes this fence will cause the business great harm and loss of income as operations would be delayed. It would also be a safety hazard to the skydivers as it would impede the drop zone and the area around the "swoop pond". He said the City would be imposing an obstacle on their leased property and SkyDive City will have to hold the liability insurance on it. He said this is an unfair burden. Mr. Hayes said SkyDive City is already under contractual obligation to hold the U.S.P.A. Canopy Piloting Nationals in May 2013 and they are putting in bids to hold the World Cup of Canopy Piloting in 2014/15. Juan

Vega asked questions regarding the location of the swoop pond and RV Park and Mr. Hayes showed him where these are located on the property. Mr. Handrahan said the RV Park does not require direct access to the airfield and that in fact it is against FAA standards and needs to be fenced off. Mr. Hayes knows the City has the right to put the fencing up according to their lease agreement but the lease also states that the City is responsible to protect and preserve their rights and if that is not possible then there must be compensation for the damages. Mr. Handrahan has discussed different fencing options with Mr. Hayes. One such option would be to put a fence around the RV Park solving the needs of the FAA and when SkyDive would need to use the area for an event they can take out the fencing (i.e. picket fence) and put it back when the event is over. (The cost for this type of fencing may not be covered). Juan asked if the RV Park was on the property when the lease was signed and T.K. confirmed that it was. Juan Vega then asked Mr. Hayes if he had a diagram of the proposed fencing. If not would Mr. Hayes be able to provide a drawing of the place where SkyDive would prefer the fence to be placed? Because it is understood that there will be a fence put up the question is where and will SkyDive cover the difference in cost if the fencing is to be put up to meet their approval? Mr. Hayes believes this situation is being oversimplified. Skydive City has so many issues against the fence going through their property that they have no choice but to seek tortious and malicious damages against the City. It would be an interference with their business. He said they are willing to compromise. He said everyone at SkyDive City is authorized to be there and that the whole area needs to be inside the fence. Rachel Nash said the letter SkyDive received from the FAA says "they (FAA) object to these areas (RV Park) having direct access to the airport". T.K. said that the letter does not mandate that these areas must be fenced out.

ADJOURNMENT

Being under a time restraint Dan Evan suggested a separate meeting to work out a compromise with the fencing. A work shop could be set up along with a work shop discussing minimum standards. The remaining items on the agenda were informational items and could be looked at during the next meeting.

Dan Evans adjourned the meeting at 6:06 p.m.