

FORT WAYNE-ALLEN COUNTY AIRPORT AUTHORITY

Fort Wayne-Allen County Airport Authority Board Meeting

Regular Session

November 13, 2023

3:00 p.m.

A meeting of the Fort Wayne-Allen County Airport Authority Board was held on November 13, 2023, at the Fort Wayne International Airport, 3801 W. Ferguson Rd., Fort Wayne, Indiana 46809, pursuant to proper legal notice. A quorum being present, Mr. Gregg Sengstack, Board Vice - President, called the meeting to order at 3:00 p.m.

ATTENDANCE:

AIRPORT AUTHORITY BOARD MEMBERS:

Richard B. (Barry) Sturges, Jr., President, absent
Gregg C. Sengstack, Vice President, present
Timothy J. Haffner, Secretary, present
Jerome F. (Jerry) Henry, Jr., present
Kimberly M. Grannan, absent
Réna Bradley, present
**electronic meeting participation*

AIRPORT AUTHORITY STAFF & LEGAL COUNSEL PRESENT:

Scott Hinderman, Executive Dir. Of Airports
Joe Marana, Director of Operations and Facilities
Mike Zawahri, Director of Administration and Finance
Mike Deam, Airport Authority Attorney
Tom Trent, Airport Authority Attorney
Doug Robertson, Controller
Ryan Bauer, Airport Development Manager
Justin Treft, Director of FBO Operations
Mary Easterday, Administrative Assistant

CALL TO ORDER:

A quorum being present, Mr. Sengstack called the meeting to order at 3:00 p.m.

1. CONSIDERATION AND APPROVAL OF TODAY'S AGENDA AND CONSENT AGENDAS

Mr. Scott Hinderman indicated staff had no changes to the posted agenda. Mr. Tim Haffner made a motion to approve the November 13, 2023 Board Agenda as posted and the Consent Agendas as presented below. Mr. Jerry Henry seconded the motion; the motion unanimously carried.

A. ADMINISTRATIVE CONSENT AGENDA:

- Approval of Board Minutes – 10.16.2023
- Review & Approval of Claims #23-11
- Accounts Receivable Report

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B. CONTRACT CONSENT AGENDA:

- (1) *Change Order Number 1 for the Contract with Kreager Group, TB23-C, Site Demolition and Site Restoration*

This change order is a project increase in the amount of \$12,838 to include the following:

- Additional cost incurred to remove asphalt pavement on Taxiway Echo to Taxiway Foxtrot.

Staff recommended approval of this change order with signature authorization for the Executive Director of Airports.

- (2) *Change Order Number 1, Construct SMD Taxiway A1 Connector with Brooks, Inc., AIP 25*

This change order is a decrease in the amount of \$229,036.59 to decrease the total contract amount with Brooks, Inc. to \$1,422,777.41. The change order includes the following:

- Final balancing change order for project closeout.

Staff recommended approval of this change order with signature authorization for the Executive Director of Airports.

- (3) *Contingency Change Order Authorization Number 3-Fort Wayne International Airport East Terminal Expansion with Clayco*

This increase is in the amount of \$681,844.36. This amount will come from the already approved owner's construction contingency in the Clayco contract. This leaves a contingency balance of \$2,170,237.88. Included in this change order are the items listed below. This will not add any new contract days to the project. Staff recommended approval of this change order with signature authorization for the Executive Director of Airports.

No.	Description
COR -	RFCP 005 Top of Concrete Pier Clarifications
COR -	Panel 2EL2 Revision
COR -	RFCP 001 Electrochromic Glazing

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2. ACTIVITY REPORT – OCTOBER 2023

Mr. Scott Hinderman reported to board members on recent Airport Authority air service and marketing activities. His report to the board included the following:

- Mr. Hinderman indicated staff were still waiting for final October activity numbers from Allegiant and so a complete report was not available at this time
- American and United numbers were up for October 2023 with Delta reporting a slight decrease in enplanements for October 2023
- Staff is expecting no significant changes when the final October activity report is completed
- Board members will be updated at the December board meeting and will be provided with a final October and November activity report at that time

3. CONSIDERATION AND APPROVAL OF 2024 CONTRACT BETWEEN FORT WAYNE-ALLEN COUNTY AIRPORT AUTHORITY AND GREATER FORT WAYNE, INC.

Mr. Hinderman informed board member that the Airport Authority annually renews its professional services agreement with Greater Fort Wayne Inc. The PSA provides for a range of services to include: marketing, air service development, and economic development, as defined in the PSA 2024 Work Plan, that can be modified as needed during the year by the Executive Director. Mr. Hinderman also noted that the contract for 2024 will have no significant changes from the contract executed in 2023. The budget for 2024 is in the amount of \$207,000 and includes \$100,000 for air service development in 2024. \$25,000 of the budgeted PSA goes directly to GFW for contract administration and all other funds remain with the Airport Authority until they are spent. It was noted this is a reimbursable contract and all funds are reserved in the FWACAA Budget but not expended until GFW invoices for actual services provided.

Mr. Timothy Haffner made a motion to approval the 2024 Professional Services Agreement by and between the Fort Wayne – Allen County Airport Authority and Greater Fort Wayne Inc. to provide a range of services to include; marketing, air service development, economic development, real estate and property management services as defined in the PSA 2024 Work Plan and modified as needed during the year by the Executive Director. Ms. Réna Bradley seconded the motion; the motion unanimously carried.

4. CONSIDERATION AND APPROVAL OF EASEMENT AGREEMENT WITH COMCAST FOR UNDERGROUND PLACEMENT OF FIBEROPTIC CABLE

Mr. Ryan Bauer informed board members that Comcast has requested an easement agreement for underground utilities to be installed along Aero Center and Altitude Drive (connecting Indianapolis Road to our West Hangars) and would provide service to tenants on the western

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portion of FWA near the Fort Wayne Aero Center. Mr. Bauer reported that this easement would be approximately 18 feet from the road way center line.

Mr. Tim Haffner made a motion to approve the easement agreement with Comcast for underground placement of fiberoptic cable as presented. Ms. Réna Bradley seconded the motion; the motion unanimously carried.

5. CONSIDERATION AND APPROVAL RESOLUTION 23-06: 2024 SALARY RESOLUTION

Mr. Scott Hinderman presented the 2024 Salary Resolution to the board for consideration and approval. Mr. Hinderman noted that the 2024 Salary Resolution being presented has modified each of the pay grades for each job position with a \$0.50 per hour (\$1040 annual) increase across all pay grades. Mr. Hinderman informed board members that the 2024 Salary Resolution would also increase the number of Custodian positions available from 6 to 8 and would also increase the number of Line Service Technician positions available from 13 to 17. Mr. Hinderman clarified that at the present time, staff does not intend to fill the extra positions, but wants to be able to should the need arise. Mr. Hinderman also noted that previous pay grades which had been assigned to vacant positions with no identified staff position have been removed from the proposed resolution.

Mr. Timothy Haffner made a motion to approve Resolution 23-06: 2024 Salary Resolution as presented. Mr. Jerry Henry seconded the motion; the motion unanimously carried.

Mr. Sengstack informed those in attendance, with confirmation from legal counsel, that public hearings would be held for each of the ordinances being presented for consideration. A public hearing for Ordinance 23-03 and Ordinance 23-04 would be conducted together, along with a motion and vote for approval. A public hearing and vote on Ordinance 23-05 would then come before the board for consideration and approval.

6 & 7. PUBLIC HEARING AND ADOPTION OF ORDINANCE 23-03: 2024 RATES AND CHARGES ORDINANCE AND ORDINANCE 23-04: FWA RULES AND REGULATIONS ORDINANCE

Mr. Hinderman informed the board that Ordinances No. 23-03 and No. 23-04 were introduced at the October 16, 2024 board meeting and that a public hearing would be held on each ordinance.

Public Hearing – Mr. Mike Deam opened the Public Hearing for Ordinance No. 23-03 2024 Rates and Charges Ordinance and Ordinance No. 23-04 FWA Rules and Regulations Ordinance. Mr. Deam indicated that staff would make introductory comments. The board and staff would

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have time for comments and questions and then the public would have the opportunity to come to the podium and speak to the matter.

Staff Comments – Mr. Scott Hinderman informed the board that prior to the beginning of each new year, airport authority staff presents the Rates and Charges Ordinance for board approval. Mr. Hinderman explained that fees are established in this ordinance to support the budget process and so that the Authority is able to acquire revenue to support its expenditures as required by the FAA, and the budget for 2024 which has been presented and approved by the County Council.

Mr. Hinderman reported there were no significant changes in the 2024 Rates and Charges Ordinance compared to the 2023 Ordinance. Mr. Hinderman highlighted the following changes that were included in the 2024 Rates and Charges Ordinance: The proposed Rates & Charges for 2023 include the budgeted rates for signatory commercial air carriers airline landing fees (from \$2.96 to \$2.99), apron fees (from \$0.35 to \$0.40), and terminal space rental (from \$30.40 to \$31.94). The charge for operators of courtesy shuttle and baggage delivery companies would see an increase in the permit fee from \$420.00 to \$500.00 annually.

The most significant change in the 2024 Rates and Charges Ordinance is the addition of an Airport User Permit fee of 2% of gross revenue to all contactors providing services to airlines or car rental companies. This new charge will allow the Airport Authority the ability to collect revenue from any third party which engages in commercial activity or derives revenue from operations at the Fort Wayne International Airport.

Mr. Hinderman reported that staff annually participates in a good review of the current rules and regulations ordinance. Mr. Hinderman outlined major changes in Ordinance No. 23-04 as follows:

In the Airport Operations section of the ordinance, language was added to address the issue of adequate personnel, mandating the airlines and their affiliates ensure that sufficient personnel are available to meet FAA, TSA and airport security requirement and are available to deplane an aircraft without delay. Built into the ordinance are fines imposed on the airlines for leaving passengers on an aircraft for more than 30 minutes after enplaning, but before departing (either at the gate or ramp), or after arriving, but before deplaning (either on the ramp or the gate). These fines are significantly increased for 2nd and 3rd violations within a 12 month period.

Also added to the ordinance were regulations related to enhanced airport worker screening which staff anticipates being required by TSA in the near future.

Board Comments – Board members had no questions or comments regarding the proposed Ordinance No. 23-03 and Ordinance No. 23-04.

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Public comments – Mr. Deam asked if any member of the public cared to comment about Ordinance No. 23-03: 2024 Rates and Charges Ordinance or Ordinance No. 23-04: FWA Rules and Regulations Ordinance.

No member of the public came forward to comment about Ordinance No. 23-03 or Ordinance No. 23-04..

Closure of Public Hearing – Hearing no further requests for comment, Mr. Deam closed the Public Hearing for Ordinance No. 23-03 and Ordinance No. 23-04.

Mr. Timothy Haffner made a motion to adopt Ordinance No. 23-03, Ordinance No. 23-0 Ms. Réna Bradley seconded the motion; the motion unanimously carried.

8. CONSIDERATION AND ADOPTION OF ORDINANCE 23-05: ORDINANCE AUTHORIZING DECLARATION OF SURPLUS LAND AND DISPOSITION OF REAL ESTATE

Mr. Hinderman informed the board that Ordinance No. 23-05 was introduced at the October 16, 2024 board meeting and that a public hearing would be held on this particular ordinance.

Public Hearing – Mr. Mike Deam opened the Public Hearing for Ordinance No. 23-05 Ordinance Authorizing Declaration of Surplus Land and Disposition of Real Estate. Mr. Deam indicated that staff would make introductory comments. The board and staff would have time for comments and questions and then the public would have the opportunity to come to the podium and speak to the matter.

Staff Comments – Mr. Hinderman informed board members that staff have designated approximately 2 acres of underutilized property along the approach end of 1-4 and Airport Expressway. The land has been deemed not useable for aviation or aeronautical use and staff is recommending that this parcel be identified as surplus. This would then provide the opportunity to sell the parcel for economic development, should an interested buyer be identified. Staff currently does not have a dollar value for the parcel and no specific buyer for the property; at this time the parcel just needs to be deemed as surplus.

Board Comments – Board members asked for clarification that should a buyer be identified we could restrict usage; and Mr. Hinderman responded in the affirmative. Should the land be sold the Airport Authority would protect and have governance over the use of the land so that no negative impact for aeronautical or airport operations would result from the sale of the property. Board members also asked the current zoning on the property and staff indicated the property is currently zoned I2.

Public comments – Mr. Deam asked if any member of the public cared to comment about Ordinance No. 23-05: Authorizing Declaration of Surplus Land and Disposition of Real Estate.

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No member of the public came forward to comment about Ordinance No. 23-05.

Closure of Public Hearing – Hearing no further requests for comment, Mr. Deam closed the Public Hearing for Ordinance No. 23-05.

Board Action – Mr. Timothy Haffner made a motion to adopt Ordinance No. 23-05 as presented. Mr. Jerry Henry seconded the motion; the motion unanimously carried.

9. OTHER BUSINESS

Mr. Hinderman reported, staff had no other items of business to present to the board for consideration. Mr. Hinderman did announce that work was currently underway for the installation of the art piece in front of the terminal and staff anticipates completion yet this week.

10. ADJOURNMENT

Mr. Haffner moved to adjourn the November 13, 2023 Regular Session Board Meeting at 3:12 p.m. Mr. Sengstack adjourned the meeting.

EXECUTIVE SESSION:

An Executive Session was held prior to the regular session board meeting on November 13, 2023 at 2:00 p.m. at the Fort Wayne International Airport, 3801 W. Ferguson Rd., Fort Wayne, Indiana 46809, pursuant to proper legal notice, to discuss Personnel (pursuant to IC 5 14 1.5 6.1(b)(5) or (b)(6) or (b)(9), Lease Negotiations (pursuant to IC 5 14 1.5 6.1(b)(2)(D), pending or threatened litigation which is pursuant to IC 5 14 1.5 1(b)(2)(B), and confidential records which is pursuant to IC 5 14 1.5 6.1 (b)(7).

Attendance:

Richard B. (Barry) Sturges, Jr., President; absent

Gregg Sengstack, VP; present

Timothy T. Haffner, Secretary; present

Jerome F. (Jerry) Henry, Jr.; present

Kimberly Grannan; absent

Réna Bradley; present

Mr. Mike Deam; present

Mr. Tim Trent; present

Mr. Scott Hinderman; present

Mr. Joe Marana; present

Mr. Mike Zawahri; present

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Mr. Ryan Bauer, present

Ms. Mary Easterday; present

**electronic participation*

By signing the minutes of the November 13, 2023, board meeting, it is hereby certified that nothing other than the topics, as noted above, were discussed during the Executive Session.

Signatures on File

Mr. Gregg Sengstack
Board Vice - President

Mr. Timothy Haffner
Board Secretary