



DECEMBER 5, 2019 COMMISSION MINUTES

PRESIDED: Jay Joseph

The regularly scheduled meeting for Peninsula Airport Commission was held on Thursday, December 05, 2019 at 8:00 a.m. in the Commission Room at the Newport News/Williamsburg International Airport.

Commissioners present were

Mr. Joseph, Mr. Wallace, Mr. Herbert, Mr. Coleman, Ms. Smith

Absent was

Hon. Scott

Executive Director

Mr. Michael Giardino, C.M.

Assistant Executive Director

Ms. Melissa Cheaney, A.A.E.

Director of Finance and Administration

Ms. Renee Carr

Director of Business Development and Corporate Analytics

Ms. Viveca Munger

Director of Marketing & Public Affairs

Ms. Jenifer Spratley

Director of Strategic Initiatives/Govt Affairs

Mr. Kevin Knapp

Executive Assistant

Carrie Elizabeth Hause

Legal Counsel

Mr. Eric Ballou, Esq.

Mr. L. Scott Seymour, Esq.

Others in Attendance

Ms. Alyssa Ferdinand

CALL TO ORDER

Vice Chair Joseph called the meeting to order at 8:00 a.m.

COMMENTS FROM THE PUBLIC None.

APPROVAL OF THE MINUTES

RESOLVED, that the Peninsula Airport Commission approve the minutes of the Commission meeting held October 24, 2019.

Commissioner Joseph made the Motion. Commissioner Herbert seconded the motion.

Voting in the affirmative were: Commissioners Joseph, Herbert, Coleman, Smith and Wallace.

Motion passed 5-0

CLOSED SESSION

ACTION: BE IT RESOLVED, that the Commission enter into a Closed Meeting Pursuant to the Virginia Freedom of Information Act; Section 2-2-3711. A. Subsection A3 - Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such Counsel. Specifically, the closed meeting shall be held to discuss a real estate proposal.

Commissioner Herbert made the motion to enter into closed session and to allow staff to remain. Commissioner Wallace seconded the motion.

Voting in the affirmative were: Commissioners Joseph, Wallace, Coleman, Herbert and Smith.

Motion passed 5-0

MOTION TO RECONVENE IN OPEN SESSION

The Commission entered into a Closed Meeting at 8:02 a.m. and reconvened in Open meeting at 8:44a.m. Upon reconvening, it was:

RESOLVED, that to the best of the Commission's knowledge, only public business matters lawfully exempt from open meeting requirements, and only such public business matters as were identified in the motion by which the Closed Meeting was convened, were heard, discussed or considered in Closed Meeting.

Commissioner Joseph made the motion to enter into open session. Commissioner Herbert

seconded the motion.

Voting in the affirmative were: Commissioners Joseph, Wallace, Coleman, Herbert and Smith.

Motion passed 5-0

COMMITTEE REPORTS

1. FINANCE

Commissioner Herbert reported.

- The October finances were included in the board packet
- The status on the Capital and Repair projects is included in the board packet

ACTION ITEMS:

A motion to adopt the results of the FY19 Audit was made by Commissioner Herbert. Commissioner Wallace seconded the motion.

Voting in the affirmative were: Commissioners Joseph, Wallace, Coleman, Smith and Herbert

Motion passed 5-0

Three motions were forwarded by the Finance Committee for adoption:

PENINSULA AIRPORT COMMISSION

RESOLUTION AUTHORIZING AGREEMENT WITH CORBETT TECHNOLOGY SOLUTIONS INCORPORATED (CTSI) FOR REPAIR AND UPGRADE TO TERMINAL PUBLIC ADDRESS SYSTEM

December 5, 2019

WHEREAS, the Peninsula Airport Commission (the “Commission”) is a political subdivision of the Commonwealth of Virginia, created pursuant to Chapter 22 of the Acts of the General Assembly of the Commonwealth of Virginia of 1946, as amended, and owns and operates Newport News – Williamsburg International Airport (the “Airport”); and has previously approved in its Fiscal Year 2020 Capital Improvement Plan certain work for the repair and upgrade to the terminal public address system (the “PA System”), consisting of the replacement of the server, a back-up server, software upgrades, software maintenance and software technical support for three years (the “Project”);

WHEREAS, the current PA system failed;

WHEREAS, the existing PA system is proprietary, and as a result repairs and upgrades are sole source, and as proper notice was posted pursuant to the Virginia Public Procurement Act (the “Procurement Act”)

WHEREAS, CTSI submitted a scope of services for the Project and a corresponding quote of \$111,034 (the “Agreement”) paid for with \$44,414 of state entitlements (40%) and \$66,620 of local funds;

WHEREAS, the Commission, after mature deliberation and upon recommendation of the Finance Committee, desires to authorize the scope of services and corresponding increase in budget authority for the Project;

NOW, THEREFORE, BE IT RESOLVED THE BOARD OF COMMISSIONERS OF THE PENINSULA AIRPORT COMMISSION THAT:

The Executive Director of the Commission is hereby authorized and directed to enter into an agreement with CTSI, and the Commission’s FY20 Capital Improvement Plan shall be increased, with respect to the following project and in the following amount:

<u>Project</u>	<u>Consultant</u>	<u>Amount</u>
Repair and Upgrade to Terminal Public Address System	CTSI	\$111,034

This resolution shall take effect immediately.

PENINSULA AIRPORT COMMISSION

RESOLUTION AWARDING CONTRACT FOR ON-CALL PROFESSIONAL ENGINEERING CONSULTING SERVICES

December 5, 2019

WHEREAS, the Peninsula Airport Commission (the “Commission”) is a political subdivision of the Commonwealth of Virginia, created pursuant to Chapter 22 of the Acts of the General Assembly of the Commonwealth of Virginia of 1946, as amended, and owns and operates Newport News – Williamsburg International Airport (the “Airport”);

WHEREAS, the Commission issued its request for qualifications (“RFQ”) for on-call professional engineering consulting services pursuant to the Virginia Public Procurement Act (the “Procurement Act”), and received three proposals in response to the RFQ;

WHEREAS, pursuant to the provisions of the Procurement Act, the Commission has considered the proposals that it has received in response to the RFQ and has conducted negotiations with selected offerors deemed fully qualified and best suited among those submitting proposals; and

WHEREAS, the Commissioners of the Peninsula Airport Commission, after mature deliberation and upon the recommendations of Staff, deem it prudent and desirable to award the engagement for on-call professional engineering consulting services to Talbert & Bright, Inc., which, in the opinion of the Commissioners of the Commission, has made the best proposal.

NOW, THEREFORE, BE IT RESOLVED THE BOARD OF COMMISSIONERS OF THE PENINSULA AIRPORT COMMISSION THAT:

The Executive Director of the Commission is hereby authorized and directed to enter into an engagement agreement with Talbert & Bright, Inc., such agreement to be upon the terms and conditions as specified in the RFQ, including a term of one year with four additional one year renewal periods at the option of the Commission, and as further negotiated in the RFQ process, and upon such further terms and conditions as the Executive Director, upon the advice of counsel to the Commission, may deem necessary and appropriate.

The Commission shall authorize at a later time the particular engagements to be undertaken by such consultants and the budgeted funding for any such engagements.

This resolution shall take effect immediately.

PENINSULA AIRPORT COMMISSION

**RESOLUTION APPROVING AND ADOPTING
GENERAL AVIATION MINIMUM RENTAL RATES AND CHARGES**

December 5, 2019

WHEREAS, the Peninsula Airport Commission (the “Commission”) is a political subdivision of the Commonwealth of Virginia, created pursuant to Chapter 22 of the Acts of the General Assembly of the Commonwealth of Virginia of 1946, as amended, and owns and operates Newport News – Williamsburg International Airport (the “Airport”);

WHEREAS, the Commission is authorized to determine rates and charges for the use of its airport and other facilities;

WHEREAS, the Commissioners of the Peninsula Airport Commission, after mature deliberation and upon the recommendation of the Real Estate Committee, desire to approve minimum rental rates and charges, and other rental rates as maybe determined during the fiscal year in connection with leases of general aviation hangars at the Airport;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PENINSULA AIRPORT COMMISSION THAT:

The Commission hereby approves and adopts the minimum rental rates and charges attached as Exhibit A, and other rental rates as maybe negotiated during the fiscal year, in connection with leases of general aviation hangars at the Airport, such minimum rental rates and charges to be in effect beginning January 1, 2020, and Staff of the Commission is hereby directed and authorized to do all things necessary or desirable to implement the minimum rental rates and charges.

This Resolution shall take effect immediately.

Voting in the affirmative were: Commissioners Joseph, Wallace, Coleman, Smith and Herbert

Motion CTSI passed 5-0; Motion On-Call Services passed 5-0; Motion Rates & Charges passed 5-0

2. REAL ESTATE

Commissioner Joseph reported.

Two resolutions were forwarded by the Committee for adoption:

ACTION ITEMS:

PENINSULA AIRPORT COMMISSION

RESOLUTION REGARDING GENERAL AVIATION LEASES

December 5, 2019

WHEREAS, the Peninsula Airport Commission (the “Commission”) is a political subdivision of the Commonwealth of Virginia, created pursuant to Chapter 22 of the Acts of the General Assembly of the Commonwealth of Virginia of 1946, as amended, and owns and operates Newport News – Williamsburg International Airport (the “Airport”);

WHEREAS, the Commission is vested with the authority to make provisions for the needs of aviation, commerce, shipping, and travel in, to and around the Airport to promote and develop the Airport, and in the exercise of such power, to enter into leases of Airport property;

WHEREAS, the Commission owns and operates general aviation leases and Commission Staff has prepared the form of leases for use with general aviation hangar leases at the Airport, and such leases have been reviewed by the Real Estate Committee; and

WHEREAS, the Commissioners of the Peninsula Airport Commission, after mature deliberation and upon the recommendation of the Real Estate Committee, desire to approve the form of the general aviation hangar leases and its execution from time to time by the Executive Director in connection with leases of general aviation hangars at the Airport.

NOW, THEREFORE, BE IT RESOLVED THE BOARD OF COMMISSIONERS OF THE PENINSULA AIRPORT COMMISSION THAT:

The form of the general aviation hangar leases is approved, and the Executive Director is authorized to enter into leases for the Commission that do not exceed a five (5) year term (including extensions) and at an annual rental rate that does not exceed \$40,000 using such form leases with tenants of pre-existing Commission-owned general aviation hangars at the Airport.

This resolution shall take effect immediately.

PENINSULA AIRPORT COMMISSION

RESOLUTION ADOPTING PATRICK HENRY MOBILE HOME PARK RULES AND REGULATIONS

December 5, 2019

WHEREAS, the Peninsula Airport Commission (the “Commission”) is a political subdivision of the Commonwealth of Virginia, created pursuant to Chapter 22 of the Acts of the General Assembly of the Commonwealth of Virginia of 1946, as amended, and owns and operates Newport News – Williamsburg International Airport (the “Airport”);

WHEREAS, the Commission is vested with the authority to adopt, amend, and repeal rules and regulations for the use, maintenance and operation of its facilities and governing the conduct of persons and organizations using its facilities, and desires to adopt rules and regulations with respect to the Patrick Henry Mobile Home Park (the “Mobile Home Park Rules and Regulations”);

WHEREAS, as required by its enabling legislation, the Commission has (i) made the Mobile Home Park Rules and Regulations available for public inspection in the office of the Commission for at least five days, and (ii) posted in a public place a notice declaring the Commission's intention to consider adopting the Mobile Home Park Rules and Regulations at a public meeting (being its public board meeting held on December 5, 2019 at 8:00 a.m., as set out in the notice), which meeting is held at least five days from the first day of the posting of notice thereof, during which period the Mobile Home Park Rules and Regulations have been available for public inspection in the Commission's principal office; and

WHEREAS, the Mobile Home Park Rules and Regulations have been presented to this meeting and have been previously approved by the Real Estate Committee;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PENINSULA AIRPORT COMMISSION THAT:

The Mobile Home Park Rules and Regulations are approved, and a copy of such rules and regulations shall be provided each resident or prospective resident of the Patrick Henry Mobile Home Park and shall be made a part of each lease agreement for premises in the Patrick Henry Mobile Home Park.

This Resolution shall take effect immediately.

Voting in the affirmative were: Commissioners Joseph, Wallace, Coleman, Smith and Herbert

Motion Aviation Leases passed 5-0; Motion Park Rules passed 5-0

3. GOVERNANCE. Did not meet.

4. AIR SERVICE. Did not meet.

EXECUTIVE DIRECTOR & STAFF REPORT

- The 70th Anniversary celebration was a hit
- Parking promo is from Nov. 1 to Jan 10
- There was an increase in online web traffic due to the 5K
- The LEAD Peninsula program held at PHF exceeded expectations
- Passenger numbers were up by 6% over 2018
- US Air Force is contracting combat air support, just in the fact-finding stage; PHF is being considered, 2021 would be the earliest action
- The new airport beacon is up and running, Phase 1 of the roof repairs are done
- ATAC is tripling their business
- The Hampton Roads Transit/WHRO live television event went very well
- Missy, Kevin, & Mike all attended the VAOC, VAB meeting in Washington DC
- We have a new VAB Region 7 Board Member: Venessa Christie
- The new PAC website: peninsulaairportcommission.org is live and being updated
- Results from the Economic Impact Study are coming in
- The Denbigh Aviation Academy will be moving off airport property
- A visit to the Greenville-Spartanburg, SC (GSP) airport, in order to research ideas to expand on PHF's air freight capacity will take place December 9, 2019
- USDOT has not announced the Small Community Air Service Development grant

CLOSED SESSION

ACTION: BE IT RESOLVED, that the Commission enter into a Closed Meeting Pursuant to the Virginia Freedom of Information Act; Section 2-2-3711. A. Subsection A1 - for the following purposes: (i) the assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers,

appointees, or employees of the Commission. Consultation with legal counsel employed or retained by a public body regarding specific legal matter requiring the provision of legal advice by such Counsel. Specifically, the closed meeting shall be held to discuss the annual performance of the Executive Director.

Commissioner Herbert made the motion to enter into closed session and to allow staff to remain. Commissioner Smith seconded the motion.

Voting in the affirmative were: Commissioners Joseph, Wallace, Coleman, Herbert and Smith.

Motion passed 5-0

MOTION TO RECONVENE IN OPEN SESSION

The Commission entered into a Closed Meeting at 9:25 a.m. and reconvened in Open meeting at 10:31 a.m. Upon reconvening, it was:

RESOLVED, that to the best of the Commission's knowledge, only public business matters lawfully exempt from open meeting requirements, and only such public business matters as were identified in the motion by which the Closed Meeting was convened, were heard, discussed or considered in Closed Meeting.

Commissioner Coleman made the motion to enter into open session. Commissioner Wallace seconded the motion.

Voting in the affirmative were: Commissioners Joseph, Wallace, Coleman, Herbert and Smith.

Motion passed 5-0

PENINSULA AIRPORT COMMISSION

EXECUTIVE DIRECTOR'S ANNUAL BONUS AND RAISE

RESOLVED, that the Peninsula Airport Commission hereby authorizes, pursuant to the Executive Director's Employment Agreement, a one-time bonus to the Executive Director in the amount of 5.0% of current base salary, to be payable in the ensuing payment period.

RESOLVED, that the Peninsula Airport Commission hereby authorizes an increase in the Executive Director's base salary of 4.0%, such increase to be effective on January 1, 2020.

A motion to adopt the Resolutions was made by Commissioner Joseph. Commissioner Herbert seconded the motion.

Voting in the affirmative were: Commissioners Joseph, Wallace, Coleman, Smith and Herbert

Motion passed 5-0

NEW BUSINESS.

- All December meeting are canceled as agreed upon by the Commission

PENINSULA AIRPORT COMMISSION

RESOLUTION TO TEMPORARILY SUSPEND A PERSONNEL POLICY

December 5, 2019

WHEREAS, the Peninsula Airport Commission (the “Commission”) is a political subdivision of the Commonwealth of Virginia, created pursuant to Chapter 22 of the Acts of the General Assembly of the Commonwealth of Virginia of 1946, as amended, and owns and operates Newport News – Williamsburg International Airport (the “Airport”);

WHEREAS, certain long-term employees of the Commission may find themselves in exigent medical circumstances, the Commission hereby **RESOLVES** that the Executive Director may, upon application and on a case-by-case basis, allow Commission employees to accrue and carry over from year-to-year more than 480 hours of accrued but un-used sick leave, notwithstanding the provisions of Section 504 of the Commission’s Personnel Policies and Procedures Manual. The accrual or carry-over of more than 480 hours of accrued but un-used sick leave shall not create any right to payment for un-used sick leave. Any employee eligible for retirement under the Virginia Retirement System, who at time of retirement has accrued more than 480 hours of sick leave, shall be treated for all purposes as having accrued 480 hours of sick leave. The Executive Director shall use his discretionary authority conferred by this Resolution in a manner consistent with the best operation of the Airport; the needs of the Commission; the medical condition and projected regimen of treatment of the employee, and in a manner that does not discriminate in favor of or against any employee in any manner prohibited by state or federal law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PENINSULA AIRPORT COMMISSION THAT:

The Executive Director may, upon application and on a case-by-case basis, allow Commission employees to temporarily accrue and carry more than 480 hours of accrued but un-used sick leave, until June 30, 2020. Upon expiration of the resolution on July 1, 2020 all balances will be reset to what they would have been on January 1, 2020 plus any time earned between January 1 and June 30, 2020.

This Resolution shall take effect immediately.

A motion to adopt the Resolution was made by Commissioner Joseph. Commissioner Herbert seconded the motion.

Voting in the affirmative were: Commissioners Joseph, Wallace, Coleman, Smith and Herbert

Motions passed 5-0

OLD BUSINESS. None.

ADJOURNED

Being no further business, the meeting was adjourned at 10:33 a.m.

NEXT MEETING

The next regular meeting for the Peninsula Airport Commission will be held on Thursday, January 23, 2020 at 8:00 a.m. in the Commission Room at the Newport News/Williamsburg International Airport.

EXHIBIT A

NEWPORT NEWS/WILLIAMSBURG INTERNATIONAL AIRPORT

GENERAL AVIATION HANGAR LEASE

RATES AND CHARGES

HANGAR LEASE RATES

SQUARE FOOTAGE	\$/SQ FT
0 – 999	0.39
1000 – 1999	0.45
2000 – 2999	0.49
3000 – 3999	0.53
➤ 3999	0.58

AIRCRAFT FIELD PERMIT

An Aircraft Field Permit shall be purchased from the Director of Business Development and Corporate Economics annually for each general aviation aircraft which is based at the Newport News/Williamsburg International Airport. The purchase of such permit and the payment of the permit fee shall exempt the owner of said aircraft from the payment of any further aviation landing fee instituted by the Peninsula Airport Commission. Further, the owner of any general aviation aircraft which is not based at the Newport News/Williamsburg Airport and which is not engaged in commercial aviation activities, as further defined hereinafter shall be allowed to purchase an Aircraft Field Permit in lieu of the payment of aviation landing fees.

Based Aircraft: An aircraft which is owned or held by virtue of a leasehold agreement by a person or persons who currently lease the space upon which the aircraft is commonly parked or persons who currently lease the space upon which the aircraft is commonly parked directly from the Peninsula Airport Commission, or by a person or persons who parks an aircraft in excess of thirty (30) days in an area of the Airport leased by the Peninsula Airport Commission to an approved Fixed Base Operator.

Commercial Aviation Activity: The carrying of passengers, freight, express, or mail by air for profit, or for student flight, or for other use of an aircraft which requires the pilot thereof to hold a current commercial pilot rating.

Aircraft Permit Rate Schedule:

0 lbs. – 12,500 lbs. (MGLW) \$20.00 per 1000 lbs.

12,501 lbs. – up (MBLW) \$30.00 per 1000 lbs.

Adopted December 5, 2019