

**DES MOINES AIRPORT AUTHORITY BOARD
SUMMARY MINUTES OF REGULAR MEETING
Des Moines International Airport
Board Room
May 14, 2019**

Call to Order and Roll Call: 9:00 a.m.

Chaired by: Ms. Ward

Present: Mr. Feldmann, Mr. Christensen, Ms. Lauridsen Sand, Ms. Levy, and Ms. Ward

A19-043 Consider Minutes for April 9, 2019, Meeting

Mr. Feldmann moved to approve the April 9, 2019, meeting minutes. Ms. Levy seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

A19-044 Consider SW 28th Street Extension Project

a. Public Hearing regarding the plans, specifications, form of contract, and estimated total cost for the SW 28th Street Extension Project

Ms. Ward opened the Public Hearing.

The Director of Engineering stated this contract is for the extension of current SW 28th Street, about 1,500 feet into the proposed FBO/GA area of development related to the future terminal development plan. All utilities (water, gas, electric, storm and sanitary) are included, along with a fire loop for future sprinkler requirements within the hangars.

The Engineer's Estimate for this project is \$4,322,400.00.

Ms. Ward invited public comment. There were no public comments. **Ms. Ward closed the Public Hearing.**

b. Consider Resolution adopting plans, specifications, form of contract, and estimated total cost for the SW 28th Street Extension Project

The Director of Engineering recommended the Board approve Resolution adopting plans, specifications, form of contract, and estimated total cost for the SW 28th Street Extension project.

Ms. Levy moved to approve the Resolution adopting plans, specifications, form of contract, and estimated total cost for the SW 28th Street Extension project. Mr. Christensen seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

c. Consider award of contract for the SW 28th Street Extension Project to Reilly Construction Company, Inc. in the amount of \$4,313,569.35

The Director of Engineering stated there was only one submitted bid for this project. With the bid coming in less than the engineer's estimate based on local bidding environment/previous projects, the lowest responsive, responsible bidder was Reilly Construction Company, Inc. in the amount of \$4,313,569.35.

The Director of Engineering recommended the Board approve the contract with Reilly Construction Company, Inc. in the amount of \$4,313,569.35 for the improvement and authorize the Director of Engineering and Planning to accept and close out this project when completed in accordance with the contract documents.

Ms. Levy moved to approve the contract with Reilly Construction Company, Inc. in the amount of \$4,313,569.35 for the improvement and authorize the Director of Engineering and Planning to accept and close out this project when completed in accordance with the contract documents. Mr. Feldmann seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

d. Consider Professional Services Agreement, Task Order No. 4 with Kimley-Horn & Associates for SW 28th Street Extension Project - Construction Phase Services

The Director of Engineering stated during the SW 28th Street Extension project, the consultant will provide contract management, construction administration, construction testing, and construction observation for the project. The negotiated amount of the agreement is \$382,700.00.

The Director of Engineering recommended the Board approve the professional services agreement with Kimley-Horn & Associates in the amount of \$382,700.00 and authorize the Director of Engineering and Planning to accept and close out this contract when completed in accordance with the contract documents.

Mr. Christensen moved to approve the professional services agreement with Kimley-Horn & Associates in the amount of \$382,700.00 and authorize the Director of Engineering and Planning to accept and close out this contract when completed in accordance with the contract documents. Ms. Levy seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0

A19-045 Consider Supplemental No. 2 to Task Order No. 3 for design of Economy Lot No. 4 phase III with Kimley-Horn & Associates, Inc.

The Director of Engineering stated on March 12, 2019, the Authority Board approved Task Order No. 3 to provide plans and specifications for an additional 250 stalls within Economy Lot No. 4. As part of this original scope, advanced planning was included to determine what additional parking could potentially be required out to 2023. This supplemental agreement No. 1 will incorporate the design and engineering of the enlargement of Economy Lot No. 4 beyond the original 250 stalls and incorporate an estimated additional 800 stalls bringing the total to 1,050 additional parking spaces.

The Director of Engineering recommended the Board approve supplemental No. 2 to Task Order No. 3 for design of additional parking stalls added to Economy Lot No. 4 phase III with Kimley-Horn & Associates, Inc. for \$165,000.00 and authorize the Director of Engineering and Planning to accept and close out this contract when completed in accordance with the contract documents.

Ms. Levy moved to approve supplemental No. 2 to Task Order No. 3 for design of additional parking stalls added to Economy Lot No. 4 phase III with Kimley-Horn & Associates, Inc. for \$165,000.00 and authorize the Director of Engineering and Planning to accept and close out this contract when completed in accordance with the contract documents. Ms. Lauridsen Sand seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

A19-046 Consider Reconstruct Runway 5/23 Phase I Project

a. Public Hearing regarding the plans, specifications, form of contract, and estimated total cost for the Reconstruct Runway 5/23 Phase I Project

Ms. Ward opened the Public Hearing.

The Director of Engineering stated this contract is for the reconstruction of the first phase of two for the reconstruction of Runway 5/23. The project will:

- i. Reconstruct 1,600 feet of Runway 5/23 from taxiway P4 to taxiway D.
- ii. Include paved shoulders, edge lighting, signage and centerline lighting.

The Engineer's Estimate for this project is \$10,487,456.50 and it is eligible for Federal Aviation Administration Airport Improvement Project (AIP) grant funding at the normal 90/10 split.

Ms. Ward invited public comment. There were no public comments. **Ms. Ward closed the Public Hearing.**

b. Consider Resolution adopting plans, specifications, form of contract, and estimated total cost for the Reconstruct Runway 5/23 Phase I Project

The Director of Engineering recommended the Board approve Resolution adopting plans, specifications, form of contract, and estimated total cost for the Reconstruct Runway 5/23 Phase I project.

Ms. Levy moved to approve the Resolution adopting plans, specifications, form of contract, and estimated total cost for the Reconstruct Runway 5/23 Phase I project. Mr. Christensen seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

c. Consider approval of Federal Aviation Administration Grant No. 72 associated with Reconstruct Runway 5/23 Phase I

The Director of Engineering recommended the Board authorize the Executive Director to accept and sign grant agreement No. 72 with FAA for the improvement and authorize the Director of Engineering and Planning to accept and close out this grant when completed in accordance with the contract documents.

Ms. Levy moved to authorize the Executive Director to accept and sign grant agreement No. 72 with FAA for the improvement and authorize the Director of Engineering and Planning to accept and close out this grant when completed in accordance with the contract documents. Ms. Lauridsen Sand seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

d. Consider award of contract for Reconstruct Runway 5/23 Phase I Project to Flynn Company, Inc. in the amount of \$11,927,632.53

The Director of Engineering stated the lowest responsive, responsible bidder for this project was Flynn Company, Inc. in the amount of \$11,927,632.53.

The Director of Engineering recommended the Board, subject to an FAA grant award, approve the contract with Flynn Company, Inc., in the amount of \$11,927,632.53 for the improvement; authorize the Executive Director to sign the contract with Flynn Company, Inc.; and authorize the Director of Engineering and Planning to accept and close out this project when completed in accordance with the contract documents.

Ms. Levy moved to, subject to an FAA grant award, approve the contract with Flynn Company, Inc., in the amount of \$11,927,632.53 for the improvement; authorize the Executive Director to sign the contract with Flynn Company, Inc.; and authorize the Director of Engineering and Planning to accept and close out this project when completed in accordance with the contract documents. Ms. Lauridsen Sand seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

e. Consider Professional Services Agreement, Task Order No. 60 with Foth Infrastructure & Environment, LLC for Reconstruct Runway 5/23 Phase I - Construction Phase Services

The Director of Engineering stated during the Phase I reconstruction of Runway 5/23, the consultant will provide contract management, construction administration, construction testing, and construction observation for the project. These services are FAA AIP funded at the normal 90/10 split and will be reimbursed through grant No. 72. The negotiated amount of the agreement is \$830,207.00.

The Director of Engineering recommended the Board, subject to an FAA grant award, approve the professional services agreement, Task Order No. 60 with Foth Infrastructure & Environment, LLC in the amount of \$830,207.00; authorize the Executive Director to sign the contract upon receipt of the grant; and authorize the Director of Engineering and Planning to accept and close out this contract when completed in accordance with the contract documents.

Ms. Levy moved to, subject to an FAA grant award, approve the professional services agreement, Task Order No. 60 with Foth Infrastructure & Environment, LLC in the amount of \$830,207.00; authorize the Executive Director to sign the contract upon receipt of the grant; and authorize the Director of Engineering and Planning to accept and close out this contract when completed in accordance with the contract documents. Mr. Christensen seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

A19-047 Consider Change Order #14 with Jensen Builders, Ltd. for Air Cargo Relocation project

The Director of Engineering stated the change order includes some quantity adjustments to exterior concrete and trench drains, along with some requested modifications to the build out by Fed Ex within their leasehold. Authority staff is working through the approval process on all related FedEx items to determine responsibility. These costs are broken out and tracked by Division 1 & 2 codes throughout the project.

The Director of Engineering recommended the Board approve Change Order #14 with Jensen Builders, Ltd. in the amount of \$128,936.60 and authorize the Executive Director to sign the change order upon acceptance of costs by Fed Ex.

Mr. Christensen moved to approve Change Order #14 with Jensen Builders, Ltd. in the amount of \$128,936.60 and authorize the Executive Director to sign the change order upon acceptance of costs by Fed Ex. Ms. Lauridsen Sand seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

A19-048 Consider Agreement for Aircraft Rescue and Firefighting Services with Pro-Tec Fire Services, Ltd.

The Executive Director stated the current agreement with Pro-Tec Fire Services, Ltd. for Aircraft Rescue and Firefighting (ARFF) services terminates September 30, 2019. Considering a new provider would need considerable lead-time to provide these services, a Request for Proposals (RFP) was issued the first part of March. Two responses were received: one from Rural/Metro Fire Dept., Inc. and one from Pro-Tec Fire Services, Ltd. Authority staff reviewed and evaluated both RFP responses in accordance with the Evaluation Criteria listed in the RFP. Pro-Tec Fire Services, Ltd. received the most points.

The Executive Director recommended the Board approve an Agreement for Aircraft Rescue and Firefighting Services with Pro-Tec Fire Services, Ltd.

Mr. Feldmann moved to approve an Agreement for Aircraft Rescue and Firefighting Services with Pro-Tec Fire Services, Ltd. Ms. Levy seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

A19-049 Consider Agreement for Unarmed Security Services with Pro-Tec Fire Services, Ltd.

The Executive Director stated the current security services agreement with Pro-Tec Fire Services, Ltd. is combined with the Aircraft Rescue and Firefighting (ARFF) services agreement. Authority staff recommended separating the security services from the ARFF services agreement to provide additional flexibility for future operational needs.

The Executive Director recommended the Board approve an Agreement for Unarmed Security Services with Pro-Tec Fire Services, Ltd.

Mr. Christensen moved to approve an Agreement for Unarmed Security Services with Pro-Tec Fire Services, Ltd. Ms. Levy seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0

A19-050

Consider Ahlers & Cooney, P.C.'s Request for a Conflict of Interest Waiver for Ahlers & Cooney, P.C.'s representation of the Authority regarding noise and aviation easements for two proposed developments located in close proximity to the airport. The proposed developments will require Des Moines City planning and zoning commission review, as well as formal City Council approval

The Executive Director stated Ahlers & Cooney represents the Des Moines Airport Authority as general counsel and the City of Des Moines in various matters including, but not limited to, certain economic development matters, real estate matters, and as bond counsel.

Airport Authority staff requested Ahlers and Cooney draft a noise and aviation easement for two properties: the Knapp property and Southwoods Estates located in close proximity to the Airport near the runway protection zone of proposed Runway 31L/13R. Both properties have proposed development plans necessitating a noise and aviation easement. The City will be represented by its assistant city attorneys and will not rely on Ahlers & Cooney, P.C. for any legal advice or representation regarding either of the properties. Based on Ahlers & Cooney's preliminary review, they do not expect the interests of the Authority will be adverse to those of the City; however, since the City is one of Ahlers & Cooney's current clients, any work that Ahlers & Cooney performs for the Authority that would be adverse to the City would create a conflict of interest. Therefore, Ahlers & Cooney cannot represent the Authority in this matter unless the Authority Board and the Des Moines City Council agree to waive the conflict. Ahlers & Cooney has submitted a request for a waiver of conflict of interest to the Authority and the City of Des Moines. Authority staff has reviewed the waiver and finds it acceptable.

The Executive Director recommended the Board approve the Conflict of Interest Waiver for Ahlers & Cooney, P.C.'s representation of the Authority regarding a noise and aviation easement.

Mr. Feldmann moved to approve the Conflict of Interest Waiver for Ahlers & Cooney, P.C.'s representation of the Authority regarding a noise and aviation easement. Ms. Levy seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

A19-051

Consider Contract for Garage Stair tower and Electrical Room Roofing project with Academy Roofing & Sheet Metal Co.

The Director of Engineering states as part of the Airport's five-year review program for all roofing structures/system, the garage is scheduled to have the current membrane roofing systems replaced. The garage roofing systems are 23 years old and have had multiple recorded repairs throughout the years. The Roofing Consultant's recommendation is to have the system replaced during the summer of 2019 and this project was included in the 2019 budget. Two quotes were received, with the lowest responsible quote from Academy Roofing & Sheet Metal Co.

The Director of Engineering recommended the Board approve the contract for Garage Stair tower & Electrical Room Roofing project with Academy Roofing & Sheet Metal Co. for \$92,500.00 and authorize the Director of Engineering and Planning to accept and close out this contract when completed in accordance with the contract documents.

Mr. Christensen moved to approve the contract for Garage Stair tower & Electrical Room Roofing project with Academy Roofing & Sheet Metal Co. for \$92,500.00 and authorize the Director of Engineering and Planning to accept and close out this contract when completed in accordance with the contract documents. Ms. Levy seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

A19-052

Financial Report

The Director of Finance reported:

- **Yearly Financial Audit**
 - The yearly financial audit was completed, discussed, and given to the Board during this meeting.
 - An audit committee call was held with Plante Moran on May 13, 2019.
 - Plante Moran recommended some changes to the monthly financial report. Also, the financial statements were re-formatted for an enhanced look/feel.
 - Mr. Feldmann stated Plante Moran was very good to work with as well as highly complimentary of the Authority staff.
 - Ms. Levy said Plante Moran went above and beyond pointing out changes coming to the Governmental Accounting Standards Board (GASB) and working with Authority staff to train them on how to think about accounting for that.
 - Ms. Levy stated Plante Moran did a great job. The Director of Finance agreed with Ms. Levy.
- **April Financial Report**
 - Changes to the report that Plante Moran suggested included:
 - more narrative on cash position and how the Authority plans to use it, and
 - an update on capital improvement projects.
 - Mr. Christensen suggested adding a column for unbudgeted increases when projects are over the engineer's estimates.

A19-053

Briefing

- The Executive Director stated the new Director of Operations, Clinton Torp, will report on taxi and operational statistics. The Director of Operations shared the highlights of April 2019 taxi and operational statistics.
- The Director of Operations reported on the Part 139 Inspection. There were some discrepancies related to markings that had been noted due to the severity of winter operations and the timing of the inspection which occurred in March. All of the items have been corrected and a letter is being sent to the FAA certification inspector.
- The Executive Director stated there was some positive movement on state level funding. The IPAA's request for funding for all airports in Iowa was recognized by the House. They put an additional one million dollars in the vertical infrastructure fund. When it went to the Senate, they set aside \$100,000 for a community of 200,000+ population for design and development of a new terminal. Since some other airports weren't pleased about that, an additional \$400,000 was placed in the vertical infrastructure fund. The Des Moines International Airport will receive approximately 38% of that money. The Director of Engineering re-submitted the Vertical Infrastructure grant application for additional money.
- The Executive Director and the Director of Engineering participated in the annual Greater Des Moines Partnership trip to Washington, DC. One of the top priorities was an increase in the passenger facility charge (PFC). Mr. Foley and Mr. Belt met with Congresswoman Axne as well as Congressman Finkenauer's staff. Congresswoman Axne and Congresswoman Finkenauer's staffers recognized the need for a PFC increase. Conversations with Senate staffers were not as encouraging. A PFC increase is part of an infrastructure package that includes tax increases. That is not something the Senate will be likely to pass as the 2020 elections approach.

Ms. Ward thanked the Authority staff for the work invested in the two business leader breakfasts held in April 2019. She stated the message was spot on, the attendance and participation was great, and the events were very well done. The Executive Director gave credit to Mr. David J. Fisher for creating the invitee lists.

A19-054

Closed session pursuant to Iowa Code § 21.5(1)(c) to discuss strategy with counsel in a matter of present litigation where its disclosure would be likely to prejudice or disadvantage the position of the Authority in that litigation.

Mr. Feldmann moved to go to closed session pursuant to Iowa Code § 21.5(1)(c) to discuss strategy with attorney Andrew Tice in a matter of present litigation where its disclosure would be likely to prejudice or disadvantage the position of the Authority in that litigation. Ms. Levy seconded. Ms. Benson took roll call: Christensen (yea), Feldmann (yea), Lauridsen Sand (yea), Levy (yea), and Ward (yea); Nays: 0; Abstained: 0; Absent: 0. Motion Carried: 5-0-0-0.

The closed session began at 10:00 a.m.

Mr. Feldmann moved to come out of closed session. Ms. Levy seconded. Ms. Benson took roll call: Christensen (yea), Feldmann (yea), Lauridsen Sand (yea), Levy (yea), and Ward (yea); Nays: 0; Abstained: 0; Absent: 0. Motion Carried: 5-0-0-0.

The closed session concluded at 10:08 a.m.

A19-055 Consideration of proposed settlement of Abshir Mohammed v. Delta Global Services, Delta Airlines, Inc., Des Moines Airport Authority, Lisa Ekstrand, and James Welker

Mr. Feldmann moved to authorize the Executive Director to sign the settlement agreement once the document is ready for signature. Ms. Levy seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

A19-056 Adjourn

Ms. Levy moved to adjourn the meeting. Mr. Christensen seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

The meeting adjourned at 10:09 a.m.

Respectfully Submitted:



**Mark Feldmann
Secretary/Treasurer**



**Mary Benson
Board Clerk**