

June 17, 2021

The Board of Commissioners of the Arapahoe County Public Airport Authority, Arapahoe County, Colorado, held a regular meeting open to the public at Centennial Airport Administration Complex, 7565 South Peoria St., Englewood, Colorado, located within the County, on June 17, 2021 at 2:30 p.m.

The following members were present:  
Commissioner Sharpe, Chair  
Commissioner Bagnato, Chair Pro-Tem  
Commissioner Baker, Clerk  
Commissioner Doubek, Treasurer  
Commissioner Holen, Voting Member  
Commissioner Huffman, Ex-Officio  
Commissioner Sieber, Ex-Officio

The following members were absent, but excused:  
Commissioner Laydon, Ex-Officio

Each Commissioner was notified of the date, time and place of the meeting and the purpose to which it was called. At least three (3) days prior to the date of the meeting, Public Meeting notices were posted at the Administration Buildings of Arapahoe County, Douglas County, Greenwood Village, City of Centennial; the courthouses in Arapahoe County and Douglas County; and at least three places on the Airport with instructions to access the meeting through video and web conferencing. At least 24 hours prior to the meeting, an agenda was posted on the Authority's website and in the window of the door at the base of the Control Tower/Administration Complex at 7800 South Peoria Street.

Please note that due to the Governor's order related to the COVID-19 pandemic and restrictions on public gatherings, this public meeting was held through video and web conferencing software options for the Board members, staff and public.

#### **Call to Order & Pledge of Allegiance**

Chair Sharpe called the meeting to order at 2:30 p.m. and recited the Pledge of Allegiance.

#### **Public Comment**

While there was no public comment, Mr. Ollislagers advised the Board about the aircraft accident on 6/16/21 and about the F/A 18's that flew to KAPA on 6/4/21. It was reported that there were two fatalities and that the aircraft flew into the powerlines. The pilot had reported problems with the auto pilot, but the cause is still unknown; NTSB is currently investigating it and should have a preliminary report of some sort out within the week. Mr. Ollislagers stated that XCEL Energy had to shut off power over a large area of Highlands Ranch, Douglas County, and into Parker as far out as Chambers and from Lincoln to Castle Rock south, and all the way west to University.

Mr. Ollislagers also informed that on the evening of 6/4/21 at 11:30 p.m., several Navy F/A 18's arrived at KAPA from Fallon Air Force base in Louisiana due to a maintenance problem. He stated that the airport received numerous noise complaints and that he has been in contact with the commanding officer about the incident. The Commanding Officer informed Mr. Ollislagers that the aircraft were just trying to get home from being deployed; however, they will investigate their procedures and plan on issuing a letter apologizing for any disturbance they caused during the evening hours. Mr. Ollislagers stated that Ms. Keller was working with those who complained. Commissioner Huffman asked why they didn't fly to Buckley Airforce; Mr. Ollislagers said that was a question they were trying to figure out and why the procedure was going to be looked into.

#### **Amendments to the Agenda**

**ADDED ITEM: Consent Agenda** – niTRO Aero, LLC – Consent to Mortgage of Subleasehold interest in 40W – Hangar 10 and related to estoppel certificate

**ADDED ITEM: Consent Agenda** – SunBorne 5<sup>th</sup> Amendment to FBO Lease re: FBO Lots 7,9,10 E & 10W

**ADDED ITEM: Consent Agenda** – ACWWA Easement for Floors and Doors 2.0

#### **Next Meetings**

- July 7, 2021 @ 6:30 p.m. – Noise Roundtable Meeting – Wright Brother's Room Virtual/Hybrid
- August 12, 2021 @ 3:00 p.m. – Regular Board Meeting – Wright Brother's Room Virtual/Hybrid

#### **1. Adjourn to Executive Session pursuant to CRS Section 24-6-402(4)(a)-(f); specifically concerning legal advice related to a Personnel matter.**

**Nancy Sharpe**

*Recommendation:* Motion to adjourn to Executive Session to discuss any of the following pursuant to CRS Section 24-6-402(4): (a) purchase, acquisition, lease, transfer, or sale of any real, personal or other property interest; (b) conference with an attorney for purposes of receiving advice on specific legal questions; (c) matters to be kept confidential by federal or state law; (d) security arrangements; (e) determining positions relative to matters that may be subject to negotiations or negotiation strategies; and (f) personnel matter.

Chair Sharpe asked for a motion to adjourn to executive session regarding a personnel matter. Commissioner Bagnato made a motion at 2:40 p.m. followed in second by Commissioner Holen; the motion passed unanimously, and the Board adjourned.

The meeting was readjourned at 3:20 p.m.

## CONSENT AGENDA

2. **Approve Minutes of May 13, 2021** **Gwen Balk**  
*Recommendation:* Motion to approve the minutes of May 13, 2021 and authorize the Chair to sign.
3. **US Customs & Border Patrol Memorandum of Agreement** **Robert Olislagers**  
*Recommendation:* Motion to ratify the Memorandum of Agreement with the US Customs and Border Patrol for IT equipment and maintenance in the amount of \$53,390.26 and authorize the Executive Director/CEO to sign.
4. **Amendment No. 3 to CH2M Hill, Inc. Contract** **Mike Fronapfel**  
*Recommendation:* Motion to approve Amendment No.3 to the CH2M Hill, Inc. Contract dated October 12, 2017 and authorize the Chair and Clerk to sign.
5. **Amendment No.4 to CH2M Hill, Inc. Contract** **Mike Fronapfel**  
*Recommendation:* Motion to approve Amendment No.4 to the CH2M Hill, Inc. Contract dated October 12, 2017 and authorize the Chair and Clerk to sign.
6. **ACWWA Easement Agreement for VMAX Parcel 50 B/E Development** **Mike Fronapfel**  
*Recommendation:* Motion to conditionally approve the ACWWA easement for the VMAX Parcel 50 BE Development and authorize the Chair and Clerk to sign, pending final review and approval of the easement and legal description by staff and legal counsel.
7. **April Financial Report** **Roxana Hahn**  
*Recommendation:* Advisory.  
**ADDED ITEM:** niTRO Aero, LLC – Consent to Mortgage of Subleasehold Interest  
*Recommendation:* Motion to approve the Consent to Mortgage of Subleasehold Interest and Lessor’s Estoppel Certificate and authorize the Chair and Clerk to sign.  
**ADDED ITEM:** SunBorne – 5<sup>th</sup> Amendment to FBO Lease and Agreement  
*Recommendation:* Motion to approve the 5<sup>th</sup> Amendment to FBO Lease and Agreement and authorize the Chair and Clerk to sign.  
**ADDED ITEM:** Arapahoe County Water & Wastewater Authority (ACWWA) Easement for FBO Lot 10 – Floors & Doors 2.0.  
*Recommendation:* Motion to conditionally approve the ACWWA easement for the FBO Lot 10 – Floors & Doors 2.0 development and authorize the Chair and Clerk to sign, pending final review and the approval of the easement and legal description by staff and legal counsel.
8. **Approval of Consent Agenda** **Nancy Sharpe**  
*Recommendation:* Approval of the Consent Agenda

Commissioner Huffman asked a question regarding the US Customs Agreement and what would happen if there is not enough users, does the airport eat the money more or less. Mr. Olislagers responded yes. Commissioner Holen moved to approve the consent agenda as amended; Commissioner Bagnato seconded the motion and the motion passed unanimously

## BUSINESS AGENDA

9. **Items Moved to the Business Agenda** **Nancy Sharpe**  
None
10. **Audit of the ACPAA Financial Statements for the years ending December 31, 2019 and 2020** **Roxana Hahn/Jodie Cates**  
*Recommendation:* Motion to accept the ACPAA Financial Statements for the years ending December 31, 2020 and 2019.

Ms. Hahn introduced Ms. Jodie Cates who is the Managing Director at BKD, LLP and Ms. Karmyn Jeffries. Ms. Cates presented the audit and stated that the audit resulted in a clean unqualified opinion. Ms. Jeffries presented the single audit which had not been done for some time. Chair Sharpe congratulated Ms. Hahn and Mr. Gillespie on having such a great audit. Ms. Hahn then asked for the

motion to accept the ACPAA Financial Statements and a motion was made by Commissioner Doubek; Commissioner Bagnato seconded the motion and it passed unanimously.

**11. Centennial Airport Noise Roundtable Update**

**Melissa Coudeyras**

*Recommendation:* Advisory.

Mrs. Coudeyras presented the following:

- The workplan committee continues to work with Jason Schwartz regarding a workplan priority to meet with the flight schools. A new proposal was approved not to exceed \$3000; Jason will be the one facilitating the meeting with the flight schools.
- Outreach committee continues to update the CACNR website with FAQ's
- The fly quiet committee have re-established talks with Whispertrack regarding adding KAPA Noise Abatement Guidelines to their electronic tablet application; Rachel will add and update as required and met to review the current KAPA Whispertrack guidelines
- Rachel is following up on a complaint from an Aurora resident about excessive night flights
- CACNR has received complaints about helicopter noise over Centennial, Highlands Ranch, and Douglas County Unincorporated areas late at night; they might have been military or medevac
- The noise monitors on the website are not listed by location; a request to list which monitor covers which area and have the map be more detailed with description
- The work program continues to update orientation material for new members and would like to put it on the website. Suggested to add links for documents such as Noise 101 or Part 150 study
- \$6,803.94 remains in the budget for the year including a donation to Lone Tree Fine arts in the memory of Harold Anderson was approved

**12. Status of MetroPlex Update**

**Robert Olislagers**

*Recommendation:* Information Only.

Mr. Olislagers and Ms. Bruetsch gave a brief update on Metroplex. Mr. Olislagers advised that sadly, the court has ruled against us in Metroplex and that the part 150 aspect was completely ignored. Ms. Bruetsch stated that unfortunately right now there is nothing else that can be done; however, that doesn't necessarily mean anything can't be done at all. Commissioner Sieber asked how much was spent to go to court and the entire process. Mr. Olislagers replied that staff was still getting final numbers together and that totals can be provided in August. Commissioner Huffman asked if we were going to appeal the case? Mr. Olislagers replied that the chances of us being successful are small; however, it is ultimately the Board's decision. The recommendation would be to not move forward, but if we still see problems down the road we can go back with counsel and decide then as well.

**13. Establish Jurisdiction to Proceed with Public Hearings**

**Kimberly Bruetsch**

*Recommendation:* Advisory.

Ms. Bruetsch advised the Board that the public hearing notices had been posted and that they had jurisdiction to proceed with the public hearings for APP Centennial, LLC, Aero Colorado, and Modern Aviation.

**14. Development Plan for APP Centennial, LLC Office/Addition**

**Mike Fronapfel**

*Recommendation:* Approval of the APP Centennial, LLC Office addition provided the following conditions have been met:

1. All comments from the Airport Authority and the referral agencies (Arapahoe County Planning & Engineering, Southeast Metro Stormwater Authority, Cherry Creek Basin Water Quality Authority, Arapahoe County Water & Wastewater Authority, South Metro Fire Rescue Authority) must be addressed to their satisfaction prior to construction.
2. Construction must be completed within 2 years of Board approval.

Mr. Fronapfel presented the development plan for the APP Centennial, LLC Office Addition. He stated that this two-story office space will be an addition to the existing 63-1 Willowbrook Hangar and was originally planned for when Willowbrook was first constructed. The office space will be 7,000 sqft. and pending Board approval they expect to start construction in August of 2021 with completion by February of 2022. Mr. Fronapfel informed that Ernie Smith with Straight Flight was in person and Will Schippers was on virtually to answer any questions the Board might have. Commissioner Bagnato asked a clarifying question about the location of the office addition. Mr. Fronapfel advised that there would be very little disturbance because the area was currently a narrow 1/2 acre rock buffer adjacent to the existing hangar. With no other questions Chair Sharpe opened the public hearing at 3:57 p.m. and it was closed at 3:58 p.m. with no comments. Commissioner Bagnato made a motion to approve the development plan provided the listed conditions have been met, followed by a second from Commissioner Holen; motion passed unanimously.

**15. Development Plan for AeroColorado Private Office/Hangar**

**Mike Fronapfel**

*Recommendation:* Approval of the AeroColorado Private Office/Hangar Development Plan for FBO Lot 15 provided the following conditions are met:

1. All comments from the Airport Authority and the referral agencies (Arapahoe County Planning & Engineering, Southeast Metro Stormwater Authority, Cherry Creek Basin Water Quality Authority, Arapahoe County Water & Wastewater Authority, South Metro Fire Rescue Authority, and SunBorne 16 LTD) must be addressed to their satisfaction prior to construction.
2. Construction must be completed within 2 years of Board approval.
3. An estimated 3% construction fee will need to be paid to the Airport Authority before the start of construction and if construction costs are greater than estimated this additional construction fee will need to be paid prior to the release of the Certificate of Occupancy.

Mr. Fronapfel presented the development plan for the AeroColorado Private Office/Hangar. He informed that this new development is going to be a private 20,000 sqft aircraft storage hangar with a 4,500 sqft of attached office space. Pending Board approval, they expect construction to begin July 2021 with completion by June 2022. Mr. Fronapfel did inform the Board that they have paid the 3% construction fee for their previous development and that Barry Sherman and Kevin Larson were present to answer questions. Commissioner Huffman asked about wing walkers. Mr. Fronapfel responded that the tenants on the Sierra Two taxilane would be responsible for ensuring the safe ingress and egress of aircraft to the hangar facilities. SunBorne was included in the discussions and they with the access arrangement. Following no other questions, Chair Sharpe opened the public hearing at 4:03 p.m. and it was closed 4:04 p.m. with no comments from the public. Commissioner Bagnato made a motion to approve the AeroColorado development pending the listed conditions asked had been met; followed by a second by Commissioner Holen and the motion was passed unanimously.

**16. Development Plan for Modern Aviation Hangars and FBO**

**Mike Fronapfel**

*Recommendation:* Approval of the Modern Aviation Hangars and FBO Development Plan located on Parcel 1 and FBO Lots 6 and 6W provided the following conditions have been met:

1. All comments from the Airport Authority and the referral agencies (Arapahoe County Planning & Engineering, Southeast Metro Stormwater Authority, Cherry Creek Basin Water Quality Authority, Arapahoe County Water & Wastewater Authority, South Metro Fire Rescue Authority) must be addressed to their satisfaction prior to construction.
2. Construction must be completed within 2 years of Board approval.  
A 3% construction fee will be paid to the Airport Authority no later than 30 days after a Certificate of Occupancy has been issued for the facility

Mr. Fronapfel presented the development plan for Modern Aviation Hangars and FBO. He stated that 7,000 sqft of office space and 52,110 sqft of hangar space is going to be added to the Modern Aviation FBO site. This would also include 4,000 sqft of shop space; pending Board approval construction is expected to begin July 2021 with completion October 2022. Mr. Fronapfel advised that Ed Roberts who was the engineer was on the phone virtually and Barry Sherman and Kyle Quinn were in attendance to answer any questions. With no questions from the Board, Chair Sharpe opened the public hearing at 4:05 p.m. and was closed at 4:06 p.m.; a motion was made by Commissioner Bagnato to approve the Modern Aviation development plan provided the listed the conditions had been met. It was followed in second by Commissioner Holen and the motion passed unanimously.

**17. Hotel Proposals**

**Robert Olislagers**

*Recommendation:*

Mr. John Reed came before the Board to present his proposal for "The Aviator" hotel at Centennial. He stated that he has had a number of years in hotel experience and in 1972 helped open the Renaissance Hotel with John DeBoer and then shortly after another one in North Denver. Mr. Reed advised that he has worked with Marriott who is owns the Four Points by Sheraton. With him were Jim Aired and Matt Ritter; Mr. Aired actually helped design the gates out at Denver International Airport. Chair Sharpe, Commissioners Huffman and Bagnato all asked questions and Mr. Reed replied.

**REPORTS**

**18. Fuel and Operations Report for May 2021**

**Luis Gonzales**

*Recommendation:* Advisory

Mr. Gonzales stated the following for May 2021:

- 2021 YTD Operations: Down 3.1% from 2020 at 117,351  
2807

- Monthly Operations May: Down 24.8% from 2020 at 22,855
- 2021 YTD Fuel Totals: Up 40.4% from 2020 at 5,982,308
- Monthly Fuel Totals May: Up 90.4% from 2020 at 1,253,905
- Monthly AvGas Fuel Sales May: Down 4.4% from 2020 at 51,140
- Monthly Jet Fuel Sales March: Up 98.7% from 2020 at 1,202,765
- Monthly Market Share for fuel sales for May: DJC: 33.7%; TAC Air: 26.1%; Signature: 29.2%; Modern Aviation: 10.8%; Heliplex: 0.1%

#### 19. May Noise Update

Rachel Keller

*Recommendation: Advisory*

Ms. Keller presented statistics on the May 2021 noise complaints. She stated the following:

- There were 1,106 complaints from 76 households
- Year-to-Date there are 4,767 complaints from 137 households
- With the top household removed, there were 885 complaints for May
- There were 1,013 daytime complaints; 93 nighttime complaints
- 70 requested a response by email; 72 requested a response by phone
- Year-to-date 329 requested a response by email; 211 requested a response by phone
- Majority of the complaints come from Unincorporated Arapahoe County with 41% followed by Unincorporated Douglas County at 16%, Greenwood Village at 13%, and Centennial at 11%
- The Top 5 households comprise 65% of year-to-date complaints out of a total 4,767 complaints; the number one household makes up 20% of that total with 958 complaints
- Departures led complaints with 37% followed close with Training close behind with complaints at 36%; prop aircraft was 71%.
- Staff provided a 2018 Census Population information for the surrounding cities and counties affected by aircraft noise

Chair Sharpe asked Ms. Keller how long each of the top two households have been complaining and if she would be tracking the F18's. Ms. Keller responded that household number one had been complaining for some time, household number two had only been complaining since last year and for the F18's since they are listed as military they will be easier to track and look up in the system.

#### 20. Legislative Report

Robert Olislagers

*Recommendation: Advisory*

Mr. Olislagers advised that multiple infrastructure proposals, including bipartisan plans, have been advanced, including one last night for \$1.2T over 8 years; however, in each instance the necessary coalition of supporters failed to muster a majority of votes. He stated that Senate Democrats now think a bill by way of reconciliation may be the pathway to a final bill, including sufficient bipartisan support for passage. Mr. Olislagers also informed that yesterday, the Senate Commerce Committee approved a surface transportation bill but rejected repeal of the Federal mask mandate on all surface transportation hubs despite CDC guidance. Chair Sharpe asked if the mask mandate can be reconsidered at any time. Mr. Olislagers said yes it can be, but its up to the FAA.

#### Public Comment

Nancy Sharpe

#### Comments from Board or Staff

Nancy Sharpe

Mr. Olislagers recognized Lorie Hinton for her 30 years of service and dedication to the airport. Ms. Hinton was awarded a check and then cake was served in the Aviator following the meeting.

#### Adjournment

Nancy Sharpe

The meeting was adjourned at 5:00 p.m.

#### Execution of Documents

Gwen Balk

#### Approved:

Nancy Sharpe, Chair